



SOUTHERN WORCESTER COUNTY EDUCATIONAL COLLABORATIVE

STUDENT HANDBOOK

Revised 8/2023

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Introduction

MISSION

The Southern Worcester County Educational Collaborative mission is to provide programs and services to meet the unique educational needs of all its students.

VISION

SWCEC provides programs and services which are of high quality, comprehensive in nature, fiscally efficient, and student centered. Programs and services are developed and implemented according to those needs which have been identified by member districts. Highly qualified and dedicated staff believe in maximizing each student's potential for success. Programs and services are conducted in facilities conducive to student achievement.

INTRINSIC VALUES

We believe:

- Education is the shared responsibility of students, school, home, and community.
- Investing in the education of our children benefits the community.
- All students are capable of life-long learning.
- A balanced education develops a student intellectually, socially, physically, emotionally, and creatively.
- All students are entitled to instructional excellence.
- Students learn best in a safe, healthy, and supportive environment.
- Students learn best when they are actively engaged in their own learning.
- Mutual respect, personal dignity, and social responsibility are essential.
- Education is the key to responsible global citizenship.

Programmatic Information and Expectations

PROGRAM START TIMES AND LOCATIONS

Grow Elementary School 121 Ashland Ave Southbridge, MA 01550	8:00 am – 1:45 pm
Grow Middle/High School/Career Development 185 Southbridge Rd Dudley, MA 01571	8:10 am – 2:05 pm
Specialized Developmental – Autism Program 185 Southbridge Rd Dudley, MA 01571	8:00 am – 2:00 pm
Specialized Developmental – Medically Fragile (primary) 185 Southbridge Rd Dudley, MA 01571	8:00 am – 2:00 pm
Specialized Developmental – Medically Fragile (secondary) 185 Southbridge Rd Dudley, MA 01571	8:00 am – 2:00 pm

NO SCHOOL ANNOUNCEMENTS OR DELAYED OPENINGS

Whenever it is necessary to cancel or delay school because of inclement weather or other unexpected emergencies, “no-school announcements” will be reported on Channel 7 (NBC) and Channel 4 (WBZ). Typically, an announcement is made by 6:00 a.m. on the day of the cancellation or delayed opening.

The NO school announcements are posted on Twitter @SWCEC_MA and SWCEC.org.

The Southern Worcester County Educational Collaborative utilizes an automated phone system in the event of a delay or cancellation due to weather, and in an emergency situation at any one of the collaborative programs. This system will allow us to update parents quickly with pertinent information.

SCHOOL CAFETERIA

The school cafeteria serves Breakfast and lunch. Beverages and other items may be purchased separately. The cafeteria is a pleasant place in which to eat where students are expected to practice the general rules of good manners and proper decorum. Students are responsible for emptying all debris into proper receptacles and leaving the table and surrounding area clean. Students found in other areas of the building without an escort during their scheduled lunch will be subject to disciplinary action. Students, who by their behavior, indicate that they cannot act in a responsible manner in the cafeteria may lose the privilege of eating in the cafeteria and be subject to disciplinary action. Students who throw food or beverages or tamper with other students’ food or beverages may be subject to suspension. The consumption of food and beverages is **not permitted outside** the cafeteria unless authorized by the administration.

SCHOOL STORE

Most SWCEC Programs manage a school store. The store may sell preferred reinforcement items, snacks, activities, field-trips and beverages with the school money in the “token economy” provided for positive behavior. Students are eligible to earn school money on a daily basis and have the opportunity to spend their school money at scheduled times during the day/week.

PARENT GUARDIAN ADVISORY COUNCIL

It is with a great deal of enthusiasm that the Collaborative invites parents and guardians to become active participants in their child’s and/or ward’s school program by becoming a member of the SWCEC Parent/Guardian Advisory Council (“PAC”). Some of the School’s parents and guardians are already members of their own local PACs and could bring assistance and guidance to the school’s PAC. The SWCEC PAC advises, assists, and supports the school in its present program and future planning, and acts as a resource for all the Collaborative sites.

If you have any questions, please feel free to contact the Principal/Director. Please refer to the SWCEC calendar for a schedule of PAC meetings.

ADVANCED NOTICE OF PROGRAM OR FACILITY CHANGE

SWCEC utilizes the following procedure for notifying DESE of any substantial changes to the program.

- The Executive Director will inform the Chairman of the SWCEC Board of Directors as well as the

Special Education Advisory Board.

- If the need for the planned substantial change is approved by the Board or the emergency situation warrants it, the SWCEC Director of Special Education Programs will notify DESE by telephone followed within 24 hours by a letter indicating the needed substantial change(s) within SWCEC programs. Notification may include one or more of the following areas impacting the ability of the program, as currently approved, to provide the necessary services to the approved student population:
 - changes to school building(s)/physical facilities that are not due to an emergency, but are related to relocation and/or expansion of building(s);
 - changes made by the school to ESE required policies and procedures that result in continued adherence to regulatory requirements;
 - request to increase or decrease the ages of the students being served;
 - request to change or add gender of students being served;
 - adding, eliminating, or changing staff positions;
 - vacancy(ies) in approved staff positions not filled by another appropriately licensed or waived staff person, and that have a direct impact on the service delivery to students;
 - unexpected building change as the result of an emergency;
 - change in program's financial status that impacts either the health and safety of students or the service delivery to students;
 - Pending closure of a program.

The LEAs and parents/guardians of all involved students will be notified via phone and letter by the SWCEC Director of Special Education Programs or designee.

COMMUNITY AND SCHOOL SERVICE

The SWCEC community believes in building and developing good citizens. Good citizenship begins with recognition of the fact that the community and our school are strengthened by the support that community and school members provide to one another. Our goal is to encourage each student to develop good citizenship through community and school service.

CO-CURRICULAR ACTIVITIES

SWCEC shall endeavor to provide a broad and balanced program of activities geared to the various ages, interests, and needs of its students during the school day. All activities will be supervised; all clubs and groups will have a faculty advisor.

Instructional Policies

CHEATING AND PLAGIARISM

Our school promotes an environment where honesty is valued. Students who cheat compromise that environment. Cheating is defined as obtaining information for the purpose of presenting it as your own or providing information to others who have not acquired it through work of their own. Plagiarism is the willful use of material without documentation with the intent to deceive. This includes wholesale copying of papers, paragraphs, ideas, or even sentences, and calling the work your own. Paraphrasing without acknowledging the source falls into the same category. Both are unacceptable and dishonest. Cheating and plagiarism will not be tolerated. Any student caught cheating or plagiarizing will receive a zero for that assignment after notification to the parent/guardian by the teacher. A meeting with the student will be arranged with an administrator to discuss the matter. Further, an assignment

completed for one class should not be recycled and used for another class. For example, using the same essay for both an English and History assignment will not be allowed unless it is part of an interdisciplinary lesson design as identified by the teacher(s). Teacher of record has final say in grading **unless** a hearing is requested by parent with the Principal.

EXTRA HELP AND MAKE UP WORK

Teachers are available to assist students or provide make-up work during the school day. Meeting times will be established by mutual agreement between the teacher, parent/guardian, and student.

FIELD TRIPS

Field trips are recognized as a meaningful extension of classroom learning and are offered both as enrichment and as part of the curriculum. Students must have parental permission to go on a field trip and must file a permission form with the host teacher. All school rules of conduct apply during any field trip. Students are responsible for all work missed while on a field trip. Students may be denied participation due to academic/behavioral difficulty or for extenuating circumstances agreed upon prior to the trip. Students may be ineligible for the trip for the following reasons:

- Behavior in which the administration and staff believe that the student may pose a safety issue on the field trip. Examples of such behavior may be, but are not limited to:
 - A bus report in which safety is compromised or behavior is egregious.
 - Behavior in school resulting in an office referral, in which staff and administration deem that attendance on the field trip may result in a potential safety or behavioral issue.
- Proper attire is necessary. Students who come to school not dressed for the weather, may stay behind, as improper dress could result in a health and safety issue.
- Students not attending the trip will be provided an alternative assignment for the class that is involved in the trip and are expected to attend all other classes that day.
- School Attendance- Students with poor daily attendance may not be allowed to participate so that direct instruction can occur.

**Please note, school principal has final approval of trip attendance*

VISITORS

To ensure the safety of all persons in the Collaborative and to maintain proper order, all visitors must sign in at the administrative office upon arrival, receive a visitor's pass, and sign out when departing. Visitors without scheduled appointments may not be admitted to the Collaborative. Permission to bring a guest must be obtained from the administration and classroom teachers prior to the day of the visit.

PHOTOGRAPHY

On occasion, there will be publicity concerning your child's school program. Photographs may be taken occasionally during the school year within the SWCEC classrooms. The Collaborative will at times publish/broadcast the resulting images on its website or in brochures, newsletters, newspapers, and other public news formats for the general purpose of student recognition and promotion of the Collaborative. If a parent does not wish their child to be photographed, a written request must be submitted by said parent or guardian.

GRADE PROGRESS REPORTS & REPORT CARDS

The purpose of grading and reporting procedures is to evaluate student growth and progress in relation to the curriculum and to provide a report of this academic growth to the student and parent/guardian. Academic success and achievement at the SWCEC results from regular attendance in school and class, mastery of skills, participation in class, completion of homework and independent study, extra help, attitude and conduct. At the midpoint of each marking quarter, all students receive academic progress reports regardless of average. At the discretion of the teacher, progress reports may be issued at other times during the marking quarter for any grade. Formal report cards are prepared at the end of each marking quarter. Progress Reports and Report Cards are sent home every quarter to the parent/guardian of every student.

Grading Policy

Report Card Grades may be comprised of the following components:

- Tests
- Quizzes
- Projects
- Class Work and Participation
- Homework

Each of these components may be averaged in as part of the grade.

- Any student who is truant will receive a zero for all academic work for the truant day.
- Students who have excused absences may make up the missed work within a reasonable amount of time for full credit.
- Any student who is suspended from school will be given the opportunity to make up missed work for the suspension day or participate in distance learning opportunities in place of brick-n-mortar direct instruction at teacher discretion.
- Students who hand in work late may receive credit for the late work. Students should work with teachers to make arrangements for such accommodations.

Incomplete Grades

Students may receive an incomplete for a course grade if they have excused absences during the quarter and have not completed the make-up work prior to the end of the quarter. A grade of “Inc” will remain for a maximum of 15 school days after report cards are issued. A clear plan to schedule or identify and complete make up work should be designed with the student, teacher, parent and administration. Should the student fail to make up the work within the 15-school day period, the student will receive a failing grade for that work which is not completed. Any extenuating circumstances which may necessitate extension of this deadline must be approved by the administration. Please be reminded, credits are credits are credits, so it is important for students to be mindful of choices and grades.

GRADUATION REQUIREMENTS

The Collaborative meets all requirements from his/her sending district for graduation requirements. Each student from Massachusetts must pass the MCAS in addition to earning enough credits to receive a high school diploma. Students who do not pass the MCAS will be eligible for a certificate of attendance. For the number of credits needed from the student’s sending school system, please contact the student’s Guidance Counselor.

NOTIFICATION RELATIVE TO SEX EDUCATION

In accordance with the Massachusetts General Law, Chapter 71, Section 32A, SWCEC has adopted a policy on the rights of parents/guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

At the beginning of each school year, or at the time of enrollment after the start of the school year, all parents/guardians of students in our school will be notified in writing of the courses and curriculum we offer that primarily involves human sexual education or human sexuality issues. Each such notice to parents/guardians will include a brief description of the curriculum covered by this policy, and will inform parents/guardians that they may:

- Exempt their child from any portion of the curriculum that primarily involves human sexual education or human sexuality issues, without penalty to the student, by sending a letter to the school administration requesting an exemption. Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment.
- Inspect and review program instruction materials for these curricula, which will be made reasonably accessible to parents/guardians and others to the extent practicable.
- Parents/guardians may arrange with the administration to review the materials at the school and may also review them at other locations that may be determined by the Principal.

PARENT/GUARDIAN CONFERENCES

Teachers, counselors and administrators welcome the opportunity to have individual conferences with students and parents/guardians. Parents/guardians are encouraged to confer with faculty members as the need arises. Meeting times can be arranged by mutual agreement. Appointments should be made so that teachers will not have to leave their scheduled classes. A formal opportunity for parent/guardian teacher conferences may be scheduled in the fall.

STATE/DISTRICT WIDE ASSESSMENT

Both the Massachusetts Education Reform Law of 1993 and the Individuals with Disabilities Education Act—Amendments of 1997 (IDEA-97) require the full participation of students with disabilities in state and district wide testing programs. The Massachusetts Education Reform Law requires all students in publicly supported programs, including students with disabilities, to participate in MCAS, including students in Collaborative Programs. The federal special education law, IDEA-97, requires that all children with disabilities participate in state and district-wide assessment programs, either:

- Routinely, as do non-disabled students; or
- With appropriate accommodations and modifications in administration where necessary; or
- Through alternate assessments for students who cannot participate in state and district wide assessments as determined by their IEP Team.

IDEA-2004 also requires that students with disabilities be given the opportunity to participate in and make progress in the general education curriculum, with emphasis on being provided the supports and services necessary to ensure their success in this regard. This means that all students, even those with significant disabilities, must receive instruction that addresses, at minimum, the skills, concepts, and information supported by the learning standards in the Massachusetts Curriculum Frameworks that are taught to all students.

- It is the responsibility of the SWCEC Director of Special Education and Principals to ensure that all enrolled students have access to the general curriculum and are assessed via the MCAS in the

following manner: Ensure that all students with disabilities in the tested grades participate in MCAS in the manner prescribed by their IEP Team, and in accordance with student participation requirements described in the MCAS Alternate Assessment Educators Manual, and other MCAS publications.

- Allocate and coordinate resources to ensure timely and appropriate participation by designated students with disabilities in MCAS Alternate Assessments.
- Provide assurances that complete and accurate information on each student participating in MCAS Alternate Assessments is indicated on the Student Identification Form, student answer booklets, and other forms as appropriate, including proper identification and labeling of student portfolios.
- For students participating in MCAS Alternate Assessments, ensure that student portfolios are completed and submitted no later than the due date as assigned by DESE.
- For students participating in MCAS Alternate Assessments, monitor the alternate assessment process to ensure that student work is neither altered nor fabricated in a way that provides information that is false or portrays the student inaccurately.

The student's IEP Team is responsible for determining how each student will participate in MCAS, what accommodations, if any, will be necessary and the format of the Alternate Assessment portfolio evidence (if Alternate Assessment is the assessment of choice).

Examples of the methods that SWCEC uses to compile portfolios are as follows:

- Primary evidence-samples of student work, instructional data, videotape and photographs
- Secondary evidence-narrative description, photographs, audiotape, reflection sheet, letters of support and other evidence at the discretion of the teacher

BEHAVIORAL SUPPORT

Behavioral Programming

Behavior management is an important aspect of SWCEC's programs with the goal of maximizing the growth and development of each student. The variety and complexity of students' behavioral and response issues require a range of techniques. The long-term goal is to increase the internalization of control by the student. An important component of developing strategies for behavior intervention is an understanding of the function the behavior serves. Arrangement of the physical environment and classroom structure is an important management strategy. The placement of desks, availability of materials, length of work times, difficulty with tasks, establishment of predictable routines, and preparation of the child for changes in routine are all essential elements to managing student behavior successfully. The development and presentation of interesting and stimulating curriculum motivates students and is often the most successful management strategy.

Positive Reinforcement

SWCEC emphasizes praise and positive feedback for all students as well as formal reinforcement schedules as appropriate. Staff takes the student's level of functioning into consideration when developing reinforcement schedules and using a variety of behavioral techniques, target and define specific behavior(s). The goal of most programs is to continue the process until the student can display the identified behavior without external reinforcement.

Mild Restrictive Behavior Support Procedures

When a student disrupts the learning of others, behavior support techniques may be utilized to assist the student in regaining control. Yelling, hitting, kicking, biting of self or others, or situations where a student's safety is in jeopardy are examples of instances when immediate intervention must occur. Recognizing cues and providing appropriate interventions to prevent further escalation are critical elements in successful behavior management.

DAILY BEHAVIOR SHEETS

Each student is given a daily behavior sheet at the beginning of each school day without exception. This behavior sheet indicates the progress the student achieves throughout the school day. Each student is evaluated on four behavioral areas (anger management, social behaviors, personal behaviors, and school behaviors), and academics each period of the day. Parents will see a check mark when the student has made adequate progress for indicated behavior. Zero(s) on a specific behavior indicate that the student struggled with this area during this period of the day. At times, some students may receive IIP's (see consequence section for an explanation of IIP's) and this will be indicated by IIP written on the daily sheet. Additionally, teachers will often write notes in the margins of the daily sheet to indicate what specific behaviors were displayed by the student during a specific period.

On the bottom or back of the daily sheets homework assignments will be written in by the student's teacher or assistant during each academic period. If the student does not have homework in a given subject the teacher or assistant will write no homework in the space provided on the daily sheet. Most often, homework will be attached to the student's daily sheet.

At the end of each day, each student's homeroom teacher will sign the completed daily sheet and the student must have this sheet signed by his or her parent/guardian each day. Most rewards at school are based upon students returning these sheets the following day and their overall academic and behavioral success.

If a student does not bring the daily behavior sheet home, parents/guardians are encouraged to contact the student's counselor or homeroom teacher. In addition, a student may be given a consequence for failure to return his/her daily sheet. It is the student's responsibility to do so.

POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

What is School-wide Positive Behavioral Interventions and Supports?

- School-wide PBIS is a multi-tiered framework to make schools more effective places. It establishes a social culture, and the behavior supports needed to improve social, emotional, behavioral, and academic outcomes for all students.
- PBIS is a system approach to creating safer and more effective schools. PBIS focuses on improving a school's ability to teach and support the positive behavior of all students. The SWCEC's PBIS Leadership Team designs, implements, and evaluates specific school-wide practices that are for ALL students and ALL staff. PBIS is NOT a program or curriculum. It is a team-based process for systemic problem-solving, planning, and evaluation.
- PBIS is an evidence-based practice that enhances the capacity of schools to educate all students, especially students with challenging social behaviors. It is a proactive systems approach to school-wide discipline that responds to the current social and/or educational challenges through three levels of intervention: universal, targeted-group, and individual intensive.

How is PBIS proactive and educative?

- A PBIS school focuses on the teaching of behavioral expectations directly like academic skills. PBIS views inappropriate behavior as a skill deficit just like a problem in Reading or Math. Skill deficits are remediated via instruction- the teaching of the appropriate skill. PBIS promotes the teaching of pro-social skills so all students can succeed even when confronted with potential conflicts and an ongoing acknowledgement system for students who meet expectations.

What does PBIS look like in a school?

- A school implementing PBIS will use school-wide expectations in specific settings to teach students appropriate behavior, an acknowledgement system to encourage appropriate behavior, predetermined consequences to discourage inappropriate behavior, discipline referral procedures that are implemented consistently, outcome data to monitor progress, and a problem-solving process for making data-based decisions.

What is an Office Discipline Referral (ODR)?

- An ODR is an **Office Discipline Referral**. This is filled out when a student has not followed a specific expectation to the extent that documentation needs to be made. For example a student who does not raise his/her hand in class would not receive an ODR. Yet, a student who chooses to hit another student would receive an ODR. The data from the ODRs is collected and analyzed to help assist the PBIS team in developing strategies needed to help the students who need to make better choices or to address behavior patterns throughout the school.

PBIS Expectations at SWCEC

Be Safe

Be Responsible

Be Respectful

- Positive Behavioral Interventions and Supports (PBIS) is a school-wide support system that focuses on taking a team-based approach by teaching appropriate behavior to all students. Through PBIS, school staff works to establish and maintain a productive, safe environment in which students, staff, and parents have clear expectations and roles in the educational process.
- Successful PBIS programs are comprised of specific components.
 - Behavioral Expectations are clearly defined. Three specifically defined expectations are exhibited throughout the school in positive, clearly stated rules. Grow has identified 3 behaviors on which to focus: **Be Safe, Be Responsible, Be Respectful**.
 - Behavioral Expectations are Taught. Grow rules are taught to all students in all settings throughout the school. Behavioral expectations and rules are best learned through positive examples, which can be modeled, combined with opportunities for practice.
 - Appropriate Behaviors are Acknowledged. Appropriate behaviors are acknowledged on a regular basis through praise and system-wide incentive programs to promote and reinforce behaviors demonstrated by individual students and classes. Any staff member will recognize and reward students exhibiting appropriate behaviors.
 - Negative Behaviors are Corrected Proactively. Specific procedures are designed to address students who do not meet expectations. Students are informed of unacceptable behavior and re-taught the expectation or rule. Positive practice and consistency are important to promote student success.

BEHAVIORAL INTERVENTION

If a student demonstrates behavior that is inappropriate and/or disruptive to the learning process, the following interventions will be utilized. Staff will attempt to redirect the student by utilizing:

- Verbal and non-verbal cues
- A time-out option with a prescribed number of minutes in a designated time out area where the student will not have the opportunity to earn any reinforcement.
- To return from a time-out the student must:
 - Demonstrate de-escalation in disruptive/acting out behavior
 - Be able to follow staff direction
 - When a time-out is over, the student must immediately be positively redirected back into a classroom activity. This may be the same activity or something else.

Time-Out Guidelines

When used appropriately, “refocus spaces” are a very powerful method for managing behavior. The purpose is to temporarily separate a child, giving him/her time to calm down, and, if developmentally appropriate, time to reflect on his/her behavior. Time-out means time-out from reinforcement, rewards, and attention.

There are several types of time-out, and each classroom establishes their own guidelines. If at all possible, time-outs are utilized in order of least to most restrictive as follows:

- Observational time-out is an effective means of having students remain in the classroom close to the group and watch what they are missing.
- In-class exclusion time-outs take place in a quiet part of the room where the student does not see or interact with others.
- Out-of class exclusion time-outs take place in an area immediately outside of the classroom called Refocus Rooms.
 - For students in need of minimal stimulation and a safe area an out-of class exclusion time-out takes place in the Time-Out area.
 - This area is free from distractions and objects in an effort to keep the student safe.
 - The Time Out area has a door and it remains open during the intervention.
 - Staff members fill out the Time-Out/Safe Space Log documenting the reason for Time-Out and the length of the time-out.
 - Students in the Time-Out/Safe Space will be accompanied by a staff member.
 - Purpose of this intervention is to allow student to refocus and then to return to direct teacher lead instruction as soon as the student is ready to learn.

Separating a student involuntarily from their group or activity can occur at the following levels, listed from least to most restrictive:

- Required break or time-out in the same space in which the rest of the group or activity is located.
- Required break or time-out in an alternate space from the group or activity where the student’s ability to leave the space is not restricted. Examples of this include, sitting in the hall outside of class and moving to a different area of the school or activity area (therapeutic room, library, playground, bus/dismissal area).
- Required break or time-out in an alternate space from the group or activity where the student’s ability to leave the space is restricted. Examples of this include use of the Safe Space/Refocusing

Room or keeping a student outside of the classroom in an adjacent empty classroom. Students are supervised directly by a licensed professional or a paraprofessional under the direction of a licensed professional.

- During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

When a time-out of any type is over, the student must immediately be positively redirected back into an acceptable activity. This may be the same activity or something else. If possible, the antecedents of the behavior that caused the time-out will be modified. Students who are unable to go safely to or complete a time-out may need physical intervention for their safety and the safety of others. SWCEC Hold Policy and SWCEC Guidelines Regarding the Use of Removals and Escorts provide more details on physical interventions.

Seclusion

Seclusion restraint is defined (by the DESE and for the purposes of SWCEC's behavioral support guidelines), as physically confining a student alone in a room or limited space without access to school staff. The use of seclusion restraint **is prohibited in public education programs, and SWCEC does not use seclusion restraint**. The use of "time out" procedures, however, during which a staff member remains accessible to the student, is not considered "seclusion restraint". According to the DESE, access is from the point of view of the student. The student must have knowledge that someone is there. Thus, the student must be able to see a staff member at all times, from any point in the room. For example:

- A severely cognitively impaired child should not have the door closed.
- A blind or hearing-impaired child should not be left alone in the time out room.

Hold/ Physical Support Policy

Collaborative staff directly serving students are provided with training in Safety Care (SC) crisis management training. Members of SWCEC staff hold instructor certification in SC and are available for technical assistance, re-training/re-certification, refresher courses, and training of new hires.

The following protocol is used in considering the use of physical restraint:

- When a child's behavior poses a threat of imminent, serious, physical harm to self and/or others, staff will place the child in a hold. Holds only occur as an emergency response when non-physical interventions have not been effective and when holds are necessary to ensure the safety of children and staff.
- Physical restraint is prohibited as a means of punishment or solely as a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm.
- When children are being held, an administrator is to be notified within 16 minutes. In the event a hold lasts longer than 16 minutes, the administrator will be updated on the status of student every 16 minutes thereafter.
- Whenever possible, a hold shall be witnessed by an adult who is not participating in the hold.
- When children in a hold do not settle quickly, staff are strongly encouraged to consider switching off with each other after a short period, to maintain the safety of the child and to avoid staff injury. Switching staff during holds also allows the child to interact with staff not

originally involved in the incident that led to the hold and, as a result, may be better able to help the child settle.

- During the use of a hold, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, respiration, and consciousness
 - If the child begins to vomit, has a bloody nose, or loses consciousness, staff must immediately end the hold and tend to the child.
 - If a student complains of pain, injury, or considerable distress, staff members are to acknowledge that the student's complaint has been heard and are to readjust their hold on the student.
 - The student is routinely checked for any injury that may have occurred during the hold. If available, the student is assessed by the school nurse, and, in the event the school nurse is not available, the staff will refer to their own training in CPR & First Aid in assessing the student's health status.
- If a child attempts to bang his or her head during a hold in such a way as to injure him/herself, staff will hold the child's head as lightly as possible (as taught in training) to prevent the child from getting hurt. Staff will let go of the child's head as soon as he/she has stopped trying to bang it on the ground.
- Staff DO NOT put a pillow or any material that could hinder the child's breathing under his or her head.
- All physical restraint will be terminated as soon as the student is no longer an immediate danger to themselves or others. Sequential disengagement of the restraint will occur as taught in SC training. Once a child is demonstrating safe conduct, he/she will have the opportunity to use the bathroom, wash their face, get a drink, etc.
- Staff will inform the parent/guardian verbally or in writing within 24 hours that his/her child was involved in a hold.
- All staff that are involved in a hold MUST complete the following forms and notifications immediately after the incident:
 - SWCEC Behavioral Incident Report (all holds).
 - Record the Incident Report in the Incident Report Log.
 - DESE Physical Restraint Report for **extended restraints** (holds exceeding 20 minutes) and/or **result in an injury to staff or student(s)**. This form must be completed within 3 days of the incident. The record of physical restraints from the *past 30 days* will accompany this Report.
 - LEA notification for extended restraint or injury to student resulting from a hold that exceeds 20 minutes or requires medical attention.
- The staff that initiated the hold writes the incident report and all other staff that assisted review the report, add any necessary information. Staff will clearly document any follow-up that occurred:
 - The child's condition following the hold,
 - Was the child injured in any way,
 - Did the child see the nurse,
 - Who was notified
- All incident reports are given to and reviewed by the SWCEC Director or designee within 24 hours of the incident.

For more information, please refer to the Physical Restraint Policy in Appendix

Escorts

Staff must utilize de-escalation techniques and behavior management strategies to help students remain safe without the use of physical intervention. Staff should use their judgment to choose the safest option possible when intervening in a crisis situation. If it is possible to do safely, staff should “wait out” a student having difficulty. However, certain behaviors may require staff to intervene physically in order to keep students and staff safe. In those cases, these guidelines apply:

- Staff should not use physical escorts unless a student is engaging in unsafe behavior;
- Escorts are to be done consistent to training;
- Once the student has reached the destination, staff should disengage the escort;
- If a student is physically struggling or refuses to move, staff should not attempt to escort them and should wait until it is safe to do so;
- If the student becomes unsafe, the staff may then need to place the student in a therapeutic hold or remove them a few feet if it is not safe to hold them where they are;
- Staff should never carry students and should never attempt to physically escort a student who is struggling;
- Staff should never physically move a student up or down any stairs/steps;
- Staff may only place students in holds when they are at imminent risk of hurting themselves or others, and only as a last resort.

Staff remains with the student causing the disruption at all times. The expectation for all students in the Safe Space is to regroup and then work on class assignments or activities with the support of the staff assigned to the student. If students are not settled enough to complete the activity or task they were engaged in prior to the disruptive behavior, the expectation for the student is to work with staff to identify strategies to become settled so that he or she can become re-engaged in the task or activity. Trips to the Safe Space are documented by staff on a running record and are summarized in Quarterly Progress Reports and IEP meetings, behavioral reports, ODRs and SWIS Data Reports. Data are analyzed by the staff on an ongoing basis as it provides opportunities for program improvements and refinement of work with students.

Students in the Safe Space will continue to be educated and will receive assistance as they require to ensure that they are continuing to receive the service delivery indicated in their IEP. To this end, teachers, clinicians, and support staff will work individually with the student to provide access to and support with academic activities they are missing during the class periods.

Food is never withheld from students. If the student has not regrouped sufficiently to participate in instructional activities, regularly scheduled schoolwork, related services, or clinical services, food is delivered to the student in the Safe Space.

The following is a list of guidelines that are a part of each decision to separate a student physically:

- The individual’s behavior poses a notable disruption to the activity in progress or to others, or the student has an approved Behavior Intervention Plan with specific protocols and procedures regarding separation.
- The individual has not positively responded to other distraction or de-escalation strategies including, but not limited to:
 - empathic listening

- planned ignoring
- switching staff members involved in the activity
- providing alternate choice activity or settings with positive outcomes
- removing triggers in the activity for the individual being disruptive
- setting clear, reasonable limits involving the activity
- isolating the disruptive individual by moving the activity or group
- employing sensory strategies related to the activity or task

Student Separation

All SWCEC staff working directly with students have the authority and training to implement student separation from their group or activity. However, any intervention that results in a student being involuntarily separated from their group or activity for more than thirty minutes must be approved by the Program Director and must be documented by an Incident Report.

Students who are involuntarily separated from their group or activity will be observed at all times and must have at least one staff member accessible to them at all times.

Documentation must be completed regarding students who are involuntary separated from their group or activity in an alternate space where their ability to leave the space is restricted that includes, at a minimum, length of time, reason for the intervention, who approved the separation. SWCEC maintains a Safe Space log that contains information covering these minimum requirements; however, additional documentation may be required (see Critical Incident documentation procedures).

Safe Spaces are never locked. Any room or space used for separation must be physically safe and appropriate to the student population. SWCEC students are always allowed to separate themselves voluntarily from their group or activity provided their separation does not result in safety concerns. In fact, students are encouraged to request a break when appropriate to assist in problem solving or seeking support. These breaks are not viewed as punitive, take place in an identified area of the classroom and are supervised directly by a licensed professional or a paraprofessional under the direction of a licensed professional.

CRITICAL INCIDENT DOCUMENTATION

A Critical Incident Report (IR) should be completed:

- Any time a student is injured as the result of their own intentional or dangerous behavior; not the result of an accidental incident.
- Any time a student or staff member is injured as a result of student behavior.
- Any time a student is restrained.
- Any time a student's behavior results in a staff directed, involuntary separation from their group or activity for a period of thirty minutes or more. An IR is not necessary for students who choose to be away from their group for more than thirty minutes if their behavior is typical of their current performance.
- Any time a student runs, or attempts to run away from their group, out of the school or in the community. An IR is not necessary for students who typically run or wander from their group in the building provided their behavior does not result in significant risk to self or others.
- Any time a student engages in sexually intrusive or aggressive behavior towards another student.

- Any time a student makes a disclosure that indicates the potential of serious harm to themselves or others.
- Any time that a student engages in property destruction that presents the risk of significant harm to self or others.
- Any time a student engages in self-injurious behavior that causes, or has the potential to cause, significant harm to them, or is atypical of their current baseline behavior.
- Any behavior that is highly unusual for a student that has the potential to result in harm to self or others, or significantly impacts their ability to participate in their scheduled activities.

SWCEC staff are mandated reporters. Any injury that staff members have “reasonable cause” to believe resulted from abuse or neglect must be documented with an Accident Report and a formal report (51A) must be made to the following agencies:

- For students under the age of 18, the Department of Children and Families (DCF)
- Any 51A filing will be reported to the DESE using a Form 2.

DISCIPLINE REVIEW

The Collaborative will comply with M.G.L. c. 71B and the Individual with Disabilities Education Act (IDEA) with regard to the discipline of students found by an evaluation TEAM to have special needs and whose individualized program is described in an IEP. The Collaborative also will comply with M.G.L. c. 71, §§§37H, 37H1/2, and 37H¾, and 603 CMR 53.00 relative to the discipline of students who are not on IEPs. For due process procedural requirements and definitions, please refer to the Legal Policies section of this Handbook.

Requirements For Students Identified As Having Special Needs

All students are expected to meet the requirements for behavior as set forth in this Handbook. Chapter 71B of the Mass. General Laws, formerly known as Chapter 766, requires that additional provisions be made for students who have been found by an evaluation TEAM to have special needs and whose individualized program is described in an Individualized Educational Plan (IEP). Students eligible for services or accommodations under Special Education Regulations or Section 504 may be entitled to additional procedural protections. Discipline procedures for special education students, and/or for students who have been referred for special education testing, and or students on 504 plans are outlined below. The school principal, the school principal’s designee, other similar administrator will ensure that all necessary procedures are implemented.

- Students with Special Needs may be suspended for up to ten (10) consecutive days and may also be suspended for ten (10) cumulative days, as fully outlined under M.G.L. c. 71B, and the Individuals with Disabilities Education Act. Such suspensions may be carried out without any further or additional process.
- Suspensions or exclusions in excess of ten (10) consecutive days or ten (10) cumulative days may also occur, provided that the conduct for which the student is being disciplined is not a manifestation of his/her disability, and the Collaborative provides educational services which will allow the student to access the general curriculum and to make progress toward his/her goals.

The IDEA and M.G.L. c. 71B allows school personnel to move a student with disabilities to an interim alternative educational setting (IAES) for up to 45 school days, if that student is in possession of a dangerous weapon at school or a school function or on school property, is in possession or uses a

controlled substance or sells or solicits the sale of a controlled substance while at school or a school function or on school property, or inflicts serious bodily injury on a person, including him/herself. The appropriate interim alternative educational setting shall be determined by the IEP TEAM.

The IDEA and M.G.L. c. 71B also allow school personnel the option of asking a hearing officer or a court to move children with disabilities to an interim alternative educational setting for up to 45 school days, if they are substantially likely to injure themselves or others in their current placement.

When a special needs student has been suspended for more than ten (10) consecutive or cumulative days in a school year, such that a substantial change in placement is occurring or will occur, the IEP TEAM will meet to conduct a manifestation determination. Relevant members of the TEAM meet for the manifestation determination, and they answer two questions, after reviewing relevant documents and the misconduct of the student:

- Is the misconduct the result of failure to implement the student's IEP? And
- Is the misconduct caused by, or does it have a direct and substantial relationship to the student's disability?

A summary of the manifestation determination review will be written and a copy provided to the Parent(s)/guardian(s) as soon as possible after the review, but no later than five (5) school days after the review.

If the TEAM finds that the misconduct was not a manifestation of the student's disability, then the student may be disciplined according to the discipline policy in this handbook. The student will receive educational services during this period of suspension or exclusion. If the TEAM finds that the misconduct was a manifestation of the student's disability, then the school may still be able to implement an IAES (see ## 2 and 3 above). If the IAES is not possible, then the student will remain in his/her current placement, and the TEAM will arrange for a functional behavioral assessment (if one has not been conducted on the student) and the development or modification of a behavior intervention plan.

The Principal, his or her designee, or other similar administrator will notify the Special Education Office of the suspendable offense of a special needs student, and a record will be kept of such notices.

Requirements for students identified as having a disability and provided with a Section 504 plan

Students are expected to meet the expectations for behavior identified in this handbook. A student on a Section 504 plan may be disciplined like any other non-disabled student. However, if the student is going to be suspended for ten (10) or more consecutive days, expelled or suspended for more than fifteen (15) cumulative days (and there is a change in placement as a result), then a manifestation determination review shall be conducted. The student's 504 team shall convene, and answer two questions, after reviewing relevant documents and the misconduct of the student:

- Is the misconduct the result of failure to implement the student's 504 plan?
- Is the misconduct caused by, or does it have a direct and substantial relationship to the student's disability?

A summary of the manifestation determination review will be written and a copy provided to the parent(s)/guardian(s) as soon as possible after the review, but no later than five (5) school days after the review.

The Collaborative may be considered to have prior knowledge if, before the behavior that resulted in the disciplinary action occurred:

- The parent expressed concern in writing to administrative personnel of the student's school or to the student's teacher that the student is in need of special education and related services, or
- The parent requested an evaluation of the student, or
- Collaborative staff expressed, directly to the special education director or other supervisory personnel, specific concerns about a pattern of behavior demonstrated by the student. The Collaborative may not be deemed to have had knowledge if the parent has not consented to an evaluation of the student or has refused special education services, or if an evaluation of the student was completed and resulted in a determination of ineligibility.
- If the Collaborative does not have knowledge that a child is a child with a disability prior to taking disciplinary measures against the child, the child may be subjected to the disciplinary measures applied to children without disabilities who engage in comparable behaviors.
- If the Collaborative had no knowledge that the student is a student with a disability, the student may be subjected to disciplinary measures applied to students without disabilities. However, if the parent requests an evaluation during the time period in which the student is subjected to these disciplinary measures, the Collaborative must conduct an expedited evaluation to determine whether the student is eligible for special education and related services. Until the evaluation is completed, the student remains in the educational placement determined by the Collaborative which can include suspension or expulsion with educational services. If, after the evaluation, the student is determined to be eligible, the Collaborative must provide special education and related services in accordance with the IDEA.

SPECIAL EDUCATION TEAM PROCESS

IEP Team Process

SWCEC Director of Special Education monitors IEP timelines for all enrolled students. SWCEC Director of Special Education coordinates IEP Team Meetings with sending district. Sending district creates and disseminates Team Meeting Invitations. Principals, in communication with sending district will coordinate with SWCEC Director of Special Education for needed Emergency Team Meetings.

Recommendation for Less Restrictive Programming

A student earns a recommendation to leave the program and return to a less restrictive educational setting by demonstrating specific achievement on academic and behavioral goals.

Students are evaluated on their behavior by staff at three specific levels:

1) "Beginning Level" which is reserved for students who are newly admitted to the program and last 4 to 6 weeks. During this period staff are the most tolerant and the goal is to orient the student to program procedures, expectations and routines. In the beginning stage, behavioral baselines are obtained, and target behaviors identified.

2) The next level of expectation is the "Program Level." This level will last for an extended period and the student will be offered full support of the academic and therapeutic program. Once the student shows a high percentage of success at a specific norm, the expectations for that student's behavior are increased and the student is expected to maintain the more appropriate, higher level of function; striving to move in a stepwise manner up a behavioral scale towards consistent normalized

functioning. Students generally make progress with regression at times and periods of resistance and difficulties. During these periods of oppositional behavior, it is essential that the school and parents stay united. The school and parent/guardian must work as a team maintaining consistent and structured expectations regardless of the student's resistance or manipulative behavior. This united position allows the student to focus on real change and accountability, rather than acting out of confusion as to what behavior is truly expected. Research and experience have firmly demonstrated that when the students are able to split the home and school authorities the student will fail to accept the need to change his or her own behavior. When this splitting occurs and parents/guardians do not align with the school, experience has shown that the student is at significant risk for failure both behaviorally and academically.

3) The third level of behavioral expectations is "Return Level." Return level refers to a stage of evaluation which is modeled by the behavioral expectations of students in a regular educational setting. During this period, all the supportive techniques and incentives, as well as many "privileges" which are not necessarily offered in the regular school, are removed from the student's program. Students "practice" for this "return level" by moving back and forth from the "Program Level" to the "Return Level" as they progress through the shaping and changing of their behavior. Students must agree to be placed on a "return" level in order to move to this position. The program does not force students to leave when they do not wish to be removed.

Once a student has progressed through beginning, Program and Return level, a meeting is scheduled with the student's local school staff and parents to discuss the most appropriate program of re-entry in the regular school environment. Students will transfer part of full time through a process determined at the discharge IEP planning meeting.

Planned Termination of Enrollment

In circumstances where a student's needs can no longer be met in an SWCEC program, the Collaborative will notify the LEA of the need for IEP and Placement meetings and will provide notice of this meeting to all appropriate parties at least ten (10) days in advance of the intended date of the meeting. The purpose of the meeting is to share information and data with the goal of developing a clear and specific termination plan so that the student can transition from the SWCEC program in a planned and organized manner.

In instances where the termination is initiated by the parents or the LEA, the LEA must give SWCEC a minimum of 30 days' notice of the student's termination. The district will be billed for a minimum of 30 days from the date of termination notice.

SWCEC programs ensure flexible procedures and mechanisms that maximize opportunities for enrolled students to gain the capacity to return to a less restrictive educational program. Such mechanisms may include, but are not limited to, a capacity for part-time attendance at a neighborhood public school or other community program or a period of transition from one program option to a less restrictive program option. As a component of the intake/placement process, the sending district will identify student performance expectation for re-entry to a public-school setting.

At each student's annual Team meeting, the Team, through the Vision Statement process, will identify if the student will be likely to transition back to the public school setting within that academic year. If it is determined that the student has reached the goals as outlined in the Student Transition Plan by the sending district at intake, the Team will then develop and proceed with the Student Transition

Implementation Plan addressing the following areas:

- Background information – statement of the student’s academic/behavioral/social-emotional needs and progress with specifics regarding what has been crucial to the student’s success
- School history – recommendation for school placement
- Current educational needs – academic levels, accommodation, and materials needed in all subject areas
- Access to regular education classes
- Technology needs
- Behavioral needs recommendations – plan, preferred activities, motivators, frequency
- Additional therapies – short statement of current functioning, accommodation, specific materials, service delivery
- Therapeutic needs – individual/group therapy, daily/weekly check-ins/Quarterly Progress Reports, outside therapist/community agency/physician(s) name and telephone numbers
- Goals – transition into school

Emergency Termination of Enrollment

In circumstances where the student presents a clear and present threat to the health and safety of himself/herself or others, SWCEC follows the procedures required under 603 CMR 28.09(12)(b) and will immediately notify the LEA and Department of Elementary and Secondary Education. An emergency situation relative to consideration of emergency termination is defined as: a student presents a clear and present threat to the health and safety of him/herself or others.

Consideration of termination of enrollment is part of the Team process in determining appropriate placement for a student. Every effort is made to continue enrollment for students who may be in crisis. However, if a student presents with increasingly severe behavioral incidents requiring more support and intervention than is routinely part of SWCEC therapeutic procedures or the behavior is not a manifestation of the student’s disability, the following processes occur:

- An Emergency Team Meeting will be convened to discuss alternative strategies to address the student’s presenting issues. SWCEC will invite the parents and LEA representative.
- The Team develops an interim action plan which can include, but not exclusive to:
 - 1:1 staff supervision and support
 - Change in length of school day
 - Change in daily academic and behavioral expectations
 - Change in environment within the school program
 - Other option as determined by the Team
 - Or placement in an interim alternative education setting to address the problem behaviors
- A follow-up Team meeting is scheduled to assess the student’s status

In the event of an emergency, if it is the conclusion of the Team that the enrollment of a student should be terminated, the following assurances are given:

- The LEA shall receive immediate notification.
- In accordance with 603 CMR 28.09(12), at the request of the LEA, the student’s termination can be delayed for two calendar weeks to allow the LEA to convene an emergency Team meeting or to conduct other appropriate planning discussions.
- By mutual agreement, the student’s termination can be delayed for longer than two weeks.

- Staff will be available at the request of the LEA to attend the emergency Team meeting with the parents, the public school representatives, and any other agencies responsible to the student.

SWCEC will not terminate the enrollment of any student, even in emergency circumstances, until the enrolling LEA is informed and assumes responsibility for the student and concludes the application process for another setting.

If a student has been hospitalized due to an emergency situation, a re-entry after hospitalization meeting will be scheduled. The Team may determine an emergency termination is required.

Student Conduct

ACCEPTABLE USE POLICY

Use of the SWCEC network is a privilege, not a right, and will be extended to individuals as long as they observe the rules of acceptable use as outlined below. SWCEC has established certain protocols to ensure the safety of our school communities, the security of the computer networks, and compliance with applicable laws.

All users should be aware of the following provisions:

Network and Internet Monitoring

SWCEC locations and/or their host districts have software and systems in place that monitor and record all Internet usage. Users should have no expectation of privacy when browsing the web, sending or receiving e-mail, or using other electronic resources.

Filtering

In accordance with the Children's Internet Protection Act (CIPA), passed by the U.S. Legislature in January 2001 (Public Law 106-554), SWCEC shall employ filtering software to block access to inappropriate content on all computers with Internet access. SWCEC, its schools, and districts certify that a policy of Internet safety and technology protection measures shall be enforced. Users are restricted from accessing visual depictions of subject matter that are obscene, pornographic, or harmful to minors. In compliance with CIPA, SWCEC policy, and, if applicable, host districts policy, shall, in furtherance of this set of Acceptable Use Procedures regarding Internet safety, monitor the online activities of users.

SWCEC and host districts cannot be held responsible for misuse of material downloaded from any online service, or for inappropriate or sexually explicit material being obtained through the network.

User-Specific Provisions

Students, administrators, staff and faculty shall not:

1. Use the network to access and/or transmit material in violation of any U.S. or Commonwealth law, including copyrighted material.
2. Access, download, display, transmit, produce, generate, copy or propagate any material that is obscene or pornographic; advocates illegal acts; contains ethnic slurs or racial epithets; or discriminates on the basis of gender, national origin, sexual orientation, race, color, ancestry, religion, handicap, or age.

3. Degrade, damage, or disrupt equipment or system/network performance (for example excessive bandwidth use that disrupts the network for other users).
4. Gain unauthorized access to network resources.
5. Permit or authorize any other person to use their name or login password.
6. Use an account of any other person or vandalize another user's data.
7. Waste electronic storage space by saving unnecessary files or programs.
8. Download, install, load or use programs without written permission of the Technology Coordinator or his/her designee.
9. Use the Internet for personal commercial purposes or for political lobbying.
10. Use inappropriate, offensive, foul or abusive language.
11. Harass or annoy any other party with obscene, libelous, threatening or anonymous messages, objectionable information, images or language.
12. Knowingly make use of pirated software or violate software-licensing agreements.
13. Engage in the practice of "hacking" or knowingly engage in any other illegal or inappropriate activity using the network.

Students, staff and faculty must:

1. Use the Internet and other electronic resources only for legitimate educational and Collaborative business purposes.
2. Respect commonly accepted practices of Internet etiquette including, but not limited to, use of appropriate language.
3. Be aware of potential security risks at all times and take all reasonable steps to minimize risks by, at minimum, logging off the network when a computer is unattended and reporting all unauthorized use of one's account to Technology Coordinator.
4. Avoid bulk e-mailing and forwarding e-mails of broad interest, such as virus alerts to the larger community without prior approval from the Technology Coordinator.
5. Treat all computer areas and equipment with the utmost care and respect.
6. Protect their own and respect other users ID's and passwords including practicing regular replacement of passwords.
7. Students may access the Internet only with adult supervision for a specific task.
8. Abide by this procedure and specific host district policies where applicable.

Electronic Communications

Collaborative resources for electronic communication shall be used for educational purposes. Electronic communication done for and on behalf of SWCEC must be done with official SWCEC email accounts provided to users and should not use any personal accounts. Prohibited electronic communications include, but are not limited to:

1. Use of electronic communications to send copies of documents in violation of privacy or copyright laws.
2. Use of electronic communications to intimidate others or to interfere with the ability of others to conduct school/district business.
3. Constructing electronic communications to appear to be from someone else.
4. Obtaining access to the files or communications of others for the purpose of satisfying idle curiosity, with no substantial school/district business purpose.
5. Users will conform to the rules of e-mail archiving and document retention set forth by policy or applicable laws.

Software

Software which SWCEC has standardized and use widely will be given priority in terms of installation, troubleshooting and training. Installation, troubleshooting and training for all other software used by faculty, staff and students will be supported as time permits. Software to be used in the curriculum or in a lab environment must be purchased in “lab packs” of sufficient quantities to account for the greatest number of simultaneous users or as site licenses and must be owned by SWCEC or host school/district. Single copies of software are considered evaluation copies and will not be supported, installed on multiple computers, or made available from the network to multiple computers.

Software that makes the computers and network harder to maintain and support and that offers little or no benefit over comparable software will not be supported. Do not install any software on any SWCEC computer without prior permission from the Technology Coordinator or his/her designee. The Technology Coordinator reserves the right to uninstall unsupported software or reimage any computer as necessary.

Data Storage and Backup

The Technology Coordinator has the right to reimage any computer as necessary. No personal data or files should be stored on a local machine or network server.

SWCEC makes every effort to run regular backups on data and e-mail hosted on its systems and networks; however, it cannot guarantee that in the event of data loss or catastrophic failure all information will be recovered.

Hardware

Use of equipment other than that owned by the SWCEC or the host school/district:

1. SWCEC provides limited support for equipment brought in from the outside by any user.
2. If a computer network is provided that is designated for guests, users must only connect outside devices to these networks.
3. The Technology Coordinator has the right to confiscate or disconnect any outside equipment that interferes with operation of the system/network.
4. SWCEC and host school/district are not responsible for damage to or loss of equipment brought in from the outside.

Any violations of this policy may result in disciplinary action including but not limited to the loss of network privileges or termination from employment.

Note: The SWCEC Acceptable Use Policy pertains to both staff and students. It is printed in its entirety on the SWCEC website (swcec.org). SWCEC reserves the right to change this policy without prior notice.

ELECTRONIC DEVICES

A student shall **NOT** possess any personal electronic device on school premises, at a school sponsored event or on a school bus*. **As a privilege that can be revoked, students may use devices on the bus if it is part of an approved bus safety/support plan.** In addition, audio or video taping devices applications and options of any kind may not be brought to school, a school related event, or on a school bus by a student without the prior approval of the Administration. i.e. - no videotaping, picture

or sound recordings for any reason is permissible.

For the first occurrence, any electronic devices which is confiscated will be returned to student at the end of the day for the first occurrence only. After that, a parent/guardian will be required to come to school for a scheduled meeting and return of said device. In addition, students may incur further disciplinary action for violation as stated below.

A student may be subject to an Intensive Individual Program (IIP) for violation of this rule if the student does not readily respond in a cooperative manner in turning the item over to a staff member. Additional consequences may be assigned depending on the student's behavior when confronted with the requirement to turn in the above item, i.e. suspension, parent/guardian or police involvement.

Once an item as noted above is received by staff, the item shall be turned into the administrator at their discretion. Administration may turn the item over to the local Police department. The owner of the item will be able to retrieve the item from the Police upon presenting verification of ownership.

The student will be required to turn in to staff electronic devices brought to school, a school related activity, or on the school bus without the prior approval of the administrator. Failure to cooperate in turning in the above item will result in the procedures as noted above.

As outlined previously, for the first occurrence, any personal electronic devices which are confiscated will be returned to individual student at the end of the day for the first occurrence only. After that, a parent/guardian will be required to come to school for a scheduled meeting and return of said device.

Any of the above electronic devices may be deemed associated with a suspicion of a drug or alcohol related issue. As such, any or all of the procedures reported under the "DRUG AND ALCOHOL POLICY" may be deemed to apply. **Please note, electronic devices are considered contraband, thus the school nor the collaborative are not responsible for lost or stolen electronic items.**

DRESS CODE AND APPEARANCE

Personal appearance is an individual matter. No one, however, has the privilege of disregarding the norms of reasonable dress of an educational setting. Attire that could interfere with the learning process is not allowed. Students who fail to abide by the guidelines listed below will be asked to either change clothes or wear garments provided by the school. Continual infractions may result in disciplinary action. Parents/Guardians will be contacted if there is a question regarding a student's attire. Clothing must always conform to safety standards of the particular class.

The following guidelines must be adhered to by all students attending SWCEC:

- Brief or revealing clothing is not acceptable.
- Clothing that presents as a potential safety or health hazard is unacceptable.
- Clothing and accessories which promote drugs, alcohol, tobacco, violence, profanity, and gang affiliation will not be allowed.
- Footwear will be worn at all times for health and safety reasons.
- Clothing with statements or pictures of a suggestive nature should not be worn.
- Sunglasses are not allowed while school is in session.

- Coats and hats may not be carried in the building between the start of first period and the end of the school day.
- Students may wear hooded sweatshirts; however, the hood may not be on one's head.
- Shorts and skirts may be worn to school, but must be appropriate in length

Building administrator has final say on what is and is not acceptable in a school setting.

DRUG AND ALCOHOL POLICY

Students are prohibited from arriving at school or being in possession of open containers unless approved by the administrator.

Unconfirmed Suspicion

- Staff members who suspect a student of being under the influence or in possession of drugs or alcohol are required to report that information to the Principal at the earliest opportunity. The student should not expect to be made aware of the staff person's suspicions prior to his or her reporting to the Principal.
- Any or all of the following actions may be initiated by the Principal once a report of suspected drug or alcohol use is reported by staff or other individuals:
 - The student may be further observed for symptoms of drug or alcohol usage or possession.
 - The student may be interviewed by the Principal and informed of the staff's suspicions.
 - The student may be given the opportunity to respond to the staff's report directly to the Principal.
 - The student may be given the opportunity to decrease the staff's belief that he or she is in possession or under the influence of drugs or alcohol.
 - The student may be isolated in the classroom or another area and supervised by staff pending an additional investigation of the report.
 - The student's desk, work areas and items brought to school by the student may be searched with or without the student's knowledge or consent by staff.
 - The student's parent/guardian may be contacted and consulted over the phone or required to come to school as early as possible to further process the staff's suspicion and investigation.

The student may be suspended on the basis of an investigation which supports the belief of the staff of suspicion of drug or alcohol use or possession, out of school for 1 to 10 days by the Principal. In the event of a decision to suspend out of school, the parent or guardian will be notified, an incident report completed and placed in the student's file, and a decision regarding a re-admission meeting communicated to the parent/guardian. The incident report may be forwarded to any previously approved party such as DCF, Guidance Counselor, Court personnel or Sending District Special Education Director. The parent or guardian may be requested to come to school and facilitate a medical and/or drug screening for his or her child. The student's failure to cooperate in the investigation or failure to follow directives of staff will result in a decision to move to the next step in the procedure. (See "reasonable confirmation" section).

Reasonable Confirmation of Drug or Alcohol usage or possession

Once a suspicion is reported to the administration and it is investigated resulting in a reasonable confirmation of drug usage or possession by a student, the following additional procedures may be conducted:

The local police department may be contacted and present to assist in any further investigation, interview with the student, or search of the student's belongings or "person." Once the local police department is contacted, the student's parent/guardian will be contacted and requested to come to school to be present during the investigation. If the parent/guardian is unwilling or unable to come to school, the administration and the local police will continue with an investigation of the reasonable confirmation of drug usage or possession. All applicable police procedures will be available at the discretion of the investigating officer. It shall further be the policy of the school that the local or State Police may use additional personnel or trained canine units to facilitate their investigation and search of the school and/or any student(s), or their possessions, at the request of the administration, or upon the decision of the investigating officer. Any appropriate step to protect the safety of students and staff and to respond to an actual or suspected violation of any law will be taken by the administration and/or the police department. The student may be taken into police custody. The student may be taken to the hospital and recommended for a Psychiatric Emergency Screening. In such a case, the parent or guardian will be contacted and required to facilitate such a recommendation. Failure to facilitate such a medical screening by the parent or guardian may result in the filing of a 51A by the school or other mandated reporters.

Confirmed Identification of Drug or Alcohol Use or Possession

The possession and/or use of illegal drugs or alcohol in school, on the school bus or at any school sponsored event are strictly forbidden. Selling and/or distribution, including sharing of any illegal drug or alcohol in school, on the school bus or at any school sponsored event or activity, are likewise strictly forbidden. Such an offense will result in the involvement of the police and the recommendation that either the police, school administration, or both file formal charges for the violation of any and all applicable laws.

If, after a report and investigation, it is confirmed that a student is under the influence of drugs or alcohol, the following additional procedures may be implemented:

In addition to all of the above, the student may be referred for a review of his Individual Educational Program plan, and a review of placement in the program. The student may be referred for additional out of school assessment, periodic drug screening and/or drug and alcohol treatment.

The student may be referred to the Court for appropriate action.

Possession and/or distribution, including sharing of drugs or alcohol will result in the following additional actions:

The police may arrest the student and take the student into custody and file any and all appropriate charges in Court.

A review meeting to evaluate the student's Individual Educational Program plan and placement in the program may be scheduled.

The student will be subject to suspension for 5 to 10 days at the discretion of the Principal. A re-admission meeting would be required and scheduled by the school and the parent or guardian will be required to attend. The student will be subject to orders or recommendations of the Court. The student may be referred for additional drug and alcohol treatment, placement for treatment, and supervision and screening recommendations as a follow-up after re-admission to his or her school program.

SEARCH POLICY

It is the policy of the Collaborative that all lockers, desks, lab areas and other common spaces (including bathrooms and corridors) are property of the Collaborative. As such, they are subject to search and inspection at any time without warning. Such inspections, searches (metal detectors and the like), or subsequent confiscations shall be conducted at the discretion of the administration. Collaborative authorities may search a student, a student's locker, or a student's vehicle based upon a reasonable suspicion and may seize any illegal, unauthorized or contraband materials discovered in the search. A student's refusal to permit a search will be considered grounds for a disciplinary action.

Personal searches: A student's person and/or personal effects (e.g. purse, backpack, gym bag, coat, etc.) may be searched whenever a school administrator has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials. Collaborative authorities shall keep a record of such searches detailing time, reason(s) and witness (es). The search itself will be conducted in a reasonable manner by the Principal or designee, given the age and sex of the student as well as the nature of the infraction.

Parking a vehicle on school property during the school day or when attending or participating in school sponsored activities is a privilege not a right. As such, vehicles brought onto school property by students may be subject to a search by Collaborative officials.

SMOKING ON SCHOOL PROPERTY

M.G.L. Ch. 71, S. 2A –Prohibition Against the use of Tobacco/Nicotine by Students:

It shall be unlawful for any student, enrolled in either primary or secondary public schools in the Commonwealth, to use tobacco products and electronic cigarettes of any type on school grounds. Smoking, chewing, possession or other use of tobacco/nicotine by staff, students, and members of the public shall be banned from all district buildings. All forms of tobacco use shall be prohibited on all district property. There shall be no smoking or use of tobacco products on any school bus at any time. In addition, there shall be no smoking or use of tobacco products by students at any school-sponsored events, even though those events may not take place on school grounds. (This is not to be construed as prohibiting the use of nicotine patches and other products to curb smoking or for other medicinal purposes.)

In addition, SWCEC prohibits the usage of e-cigarettes and vapes.

THEFT

Any student known to have stolen property from another student, a member of the school staff, or from the School may be subject to discipline. The parent(s)/guardian(s) of the offending student, and the sending district, will be notified and a referral to legal authorities may be made, depending on the value of the stolen property.

VANDALISM

The Collaborative should be respected as a teaching and learning environment where students, staff, parents/guardians and community members can feel safe and secure. The Collaborative is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions. The Collaborative, in attempting to ensure that

reparations are made and proper disciplinary action is taken, is instituting this policy on vandalism to send a clear and concise message to students and parents/guardians that vandalism will not be tolerated and any monetary burden will have to be borne by the parents/guardians of the perpetrator.

Vandalism not only affects the aesthetics of the building or property, but also sends the wrong message to our students, presents a negative appearance of the Collaborative and campuses to the community, promotes further acts of vandalism and could even encourage violence. These acts are also counterproductive in that they disrupt the normal flow of activities in and around the school, and costly staff time and energy is invested in cleaning and repairing. In cases of severe damage, valuable instruction time may be lost if students are displaced from their classrooms.

Every person who commits any of the following acts with respect to any real or personal property not his or her own, in cases other than those specified by state law, is guilty of vandalism: 1) Defaces with graffiti or other inscribed material, 2) Damages, or 3) Destroys.

“Vandalism” has a number of definitions, all of which have the common elements of destruction, damage, injury, or defacement of another’s property. In recognition of the debilitating impact of vandalism, current law (see below) provides for criminal penalties, the imposition of student discipline, as well as civil liability for students and their parents/guardians.

In order to curtail vandalism and ensure that proper respect is shown of the property of others, acts of vandalism involving Collaborative property or the property of Collaborative employees and/or students will be considered serious offenses. Any student(s) who commits an act of vandalism against Collaborative property or the property of a fellow student or Collaborative employee related to school attendance or a school related event or activity will be held strictly accountable. Such accountability will include appropriate disciplinary action by the Collaborative including, but not limited to suspension, personal and parental/guardian liability and responsibility for damages; and, where appropriate, referral to the criminal justice system. In addition to payment of the cost of damages, vandalism to a school bus will result in suspension of the student’s riding privilege. The degree of severity of punishment will be determined by the Director or Designee, following Mass General Laws, Case Law, 603 Code Mass Regulations and Collaborative policies consistent with state laws and regulations.

As a part of the disciplinary process, full restitution for damages, including monetary restitution, may be considered part of any rehabilitation and/or readmission plan. In recognition of parental responsibility and involvement, parents/guardians of any student who commits vandalism of Collaborative property or the property of a Collaborative employee shall be responsible for restitution of damages to the maximum extent permitted by law, and if necessary, the Collaborative will authorize pursuit of a court action for collection of such damages.

WEAPONS

A student may be suspended for 1 to 10 days at the discretion of the Principal, and referred to the Executive Director for possible exclusion from all Collaborative programs when the student brings any weapon, whether real or simulated, or any instrument capable of being used to inflict bodily harm:

- Onto school, or adjacent property,
- To any school-sponsored or school-related event or activity,

- Onto any mode of transportation used to/from school, or to/from any school-sponsored or school-related event or activity.

For the purposes of this policy, a dangerous "weapon" includes, but is not limited to, a gun, knife, slingshot, blowgun, blackjack, metallic knuckles, including a ring intended to be worn on more than one finger ("fused rings") or knuckles of any substance which could be put to the same use with the same or similar effect as metallic knuckles, kung fu sticks, or any similar weapon consisting of two sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire, or leather, a shuriken or any similar pointed star like object intended to injure a person when thrown, or any armband made with leather which has metallic spikes, points or studs or any similar material weighted with metal or other substance and worn on the hand, and any chain or item attached to a chain that could be used as a weapon. Any other device or "object" used or attempted to be used to inflict bodily harm on a person may be considered a weapon.

If any device which may be considered a weapon under this policy is distributed by a teacher for use in the classroom, then no student receiving such a device shall be charged with an offense under this rule, provided the device remains in the classroom and provided the device is only used for the classroom purpose.

A weapon shall be deemed to belong to the person and or persons who are in possession of the weapon in any capacity. A weapon shared or given to another shall be deemed as belonging to any and all parties involved in the sharing or distribution.

If a student is suspected of carrying a weapon, all applicable procedures as described under the policy for "drugs and alcohol," may be applied by the Principal.

- The size of a determined weapon will not alter the consequences which may be applicable for violation of this policy.
- A simulated, or implied weapon, shall be treated as a real weapon under this policy.

Any confiscated weapon will be retained by the Principal and only returned to a parent or guardian after an in-school conference to process the incident. In those cases where the weapon is a violation of legal statute, it will be turned over to the local Police and the student will be subject to any and all applicable legal charges and potential arrest. At any time in the investigation of a suspected or real weapons violation, the Principal may call in the local Police for assistance, with or without the knowledge or consent of the student or parent/guardian.

All violations of this policy shall be documented in an incident report by the staff person(s) involved in reporting and/or managing the incident.

State law requires: "Any school department personnel shall report in writing to their immediate supervisor an incident involving a student's possession or use of a dangerous weapon on school premises at any time." The law further states: "Supervisors who receive such a weapon report shall file it with the Executive Director of said school, who shall file copies of said report with the local chief of police, the department of social services, the office of student services or its equivalent in any school district, and the local school committee."

An incident report of any violation of this policy shall become part of the student's official school file.

Such incident reports shall be deemed appropriate, and not a violation of student record confidentiality when it is forwarded to any other school system in the event of a transfer of the student(s). The applicable state law (M.G.L. Chapter 71, Section 37L), requires:

"Any student transferring into a new school district must provide the new district with 'a complete school record,' including, but not limited to, 'any incidents involving suspension or violation or criminal acts or any incident reports in which such student was charged with any suspended act.' The responsibility under Section 37L rests with the student who is transferring; the student may either get the records from the former school and present them to the new school, or may request that the former school send the records directly to the new school."

STUDENT GRIEVANCES PROCEDURES

Any person who feels aggrieved as a result of policies and practices within SWCEC with regard to educational opportunities regulated by Title IX, will direct their complaints as follows:

Grievances in regard to educational practices and opportunities shall be directed at first level to the Principal. A resolution of the complaint or grievance will be attempted at that level. If the grievant, be they student or parent/guardian, is not satisfied with the resolution or disposition of the complaint with regard to educational opportunities, they shall register their complaint with the Executive Director. If a just and equitable resolution of the complaint is not arrived at the level of executive director, in terms of educational opportunities, the grievant or the parent of the grievant shall request to be placed on the agenda of the most appropriate and convenient school committee meeting. Upon reviewing the matter of grievance, the school committee shall uphold the complainant or make suggestions to modify and resolve the problem or shall uphold any decisions rendered by the administration and executive director at this point. This decision by the school committee and its reasons for its decision shall be rendered in writing to the complainant.

Safety Policies

REPORTING SUSPECTED ABUSE OR NEGLECT

Under Massachusetts General Laws Chapter 119, Section 51A, any public or private school teacher, educational administrator, guidance or family counselor, nurse, or social worker, as other professionals who in his/her professional capacity shall have reasonable cause to believe that a student under eighteen years is suffering serious physical or emotional injury resulting from abuse by a caretaker, including sexual abuse, or neglect, including malnutrition, must immediately report such conditions to the Department of Children and Family (DCF).

SWCEC staff must adhere to the following guidelines in the handling of suspected abuse and neglect cases.

1. Any staff with concerns related to student abuse or neglect will contact the SWCEC Director of Special Education or Principal. The SWCEC Director of Special Education or Principal will:
 - o Review the circumstance and document any physical signs of abuse.

- If indicated, file a 51A with the Department of Social Services and contact the parents/guardian.
 - Will keep the Executive Director informed about the situation. The Executive Director may become directly involved in the process
2. If the suspected abuse/neglect is the result of an action of a staff member or another student, DOE Form 2 will be completed and forwarded to the DESE by the SWCEC Director of Special Education or Principal.
 3. If the student is 18 years of age or older, the SWCEC Director of Special Education or Principal will file a report with the Massachusetts Disabled Persons Protection Commission.

The name of all reporters remains confidential; DCF will not share this information. However, the reporter's identity may be deduced from the content of the report. It is important to note that educators are protected from civil or criminal actions provided that the report was made in good faith.

FIRE DRILLS AND BUILDING EVACUATION

The buildings must be vacated each time the fire alarm is sounded. Directions for exiting the building are posted in each classroom and are explained by the teacher of each class. The following rules must be observed: (1) Students must move quickly and quietly to a safe distance 50 ft from the building; (2) Students must adhere to any directions given by the teacher; (3) No students may reenter the building until the all-clear signal is given; (4) Students will return directly to class after the drill is over unless otherwise directed.

If students refuse to comply, procedures to ensure student safety will be implemented.

EMERGENCY PLANNING

School systems require parents to complete Emergency Contact information annually. This is vital information that should be updated whenever changes in contact information occur. There are potentially many emergency circumstances which impact schools. Community emergency planning procedures are developed locally, and it is important for parents to know their specific school/community policies and how they would be notified should an emergency occur.

ELOPEMENT

Elopement is defined as a student who leaves their assigned learning environment without permission of the supervising faculty.

A student who leaves a learning environment but stays on school grounds will be required to meet with his principal or counselor prior to returning to programming. Students may be subject to search in accordance with Search Policy of this Student Handbook upon re-entry.

If a student leaves the school grounds without permission, he or she may not be allowed to return to his classroom program for the balance of the school day. The student will be provided alternate programming and permitted to take his or her school bus home at the end of the day, provided that he or she is present at the school on time to do so, and he or she is behaviorally appropriate at the time. If a student leaves school grounds without permission, his or her parent/guardian/ or appropriate third party will be contacted.

In all circumstances, in accordance with individual behavior plans and therapeutic school practices, students may receive consequences including an IIP or suspension. It is the intent of the intervention to capture teachable moments and provide skill building restorative opportunities for students.

RUNAWAY STUDENT

A “runaway student” shall be defined as: a student who has left the school environment/property without permission with the intent of not being followed or found and may be exhibiting unsafe and/or noncompliant behavior. A student that has left his or her designated space but is within the immediate area and within the staff’s visual field is not a runaway student.

If a student is a Runaway the following procedure will be implemented:

- Immediately call the Parent and notify the Executive Director.
- For students under the age of 15 and younger, the local Police will be notified. Though Administrative discretion may be utilized depending on the individual and situation, regardless of age.
- Complete an Incident Report form within 24 hours.
- Principal will notify the LEA.
- The Executive Director will notify the Department of Education.
- All notifications and Incident Reports will be filed in Student Record.

IMMEDIATE NOTIFICATION OF INCIDENTS

When a serious incident occurs, the SWCEC Executive Director is notified immediately.

Upon notification of an incident within a SWCEC program the Administration gathers all pertinent information from involved parties. The SWCEC Incident Report Form is to be completed by staff the same day of the incident. The incident report form includes the incident, precipitating events, and any specific communication details. Copies of incidents reports will be sent to the parents, LEA representatives, any state agency involved in student care or program placement and put in student file.

In the event a serious or unusual incident occurs, immediate notification by telephone, and copy of incident report will be sent to the parents, LEA representatives, any state agency involved in student care or program placement, and by mail to the DESE. Serious incidents are those that result in injury, safety concerns, substantial discipline code violations, significant damage or loss to school property or emergency personnel responses.

The protocol described below is followed for incidents that require immediate notification of the Department of Elementary and Secondary Education (DESE) or Department of Public Health (DPH). An Incident Report Form is submitted to DESE within 48 hours of the following types of incidents:

- Death of a student;
- Filing of a 51-A report with DCF, or a complaint to the Disabled Persons Protection Commission against the school or a school staff member for abuse or neglect of a student;
- Any action taken by a federal, state or local agency that might jeopardize the school’s approval with the Department; and
- Any legal proceeding brought against the school or its employee(s) arising out of circumstances related to the care or education of any of its students regardless of state of residency.

- The hospitalization of a student (including out-patient emergency room visits) due to physical injury at school or previously unidentified illness, accident or disorder that occurs while the student is in the program; (For students with complex health care needs, this will also require notification of the Department of Public Health (DPH) through the emergency response protocol.)
- Student injury resulting from a motor vehicle accident during transport by school staff (including contracted staff) which requires medical attention;
- Serious student injury requiring emergency medical intervention resulting from a restraint;
- Student run away/bolting beyond building boundaries;
- Emergency termination of a student under circumstances in which the student presents a clear and present threat to the health and safety of him/herself or others pursuant to 18.05(7)(d);
- Any other incident of serious nature that occurs to a student.

The Administration is responsible for notification to:

- Parents
- LEA representative
- DESE
- Executive Director

EMERGENCY PROCEDURES

SWCEC programs located in public schools do not have discrete emergency procedures. The SWCEC Administration consults with building principals and district Superintendents to ensure that SWCEC programs and staff are included in the building emergency protocols. The SWCEC Administration ensures that staff are aware of the emergency procedures of the building where the program is located and their responsibilities.

SWCEC emergency procedures include:

- A minimum of 2 evacuation drills conducted for each classroom at each location annually;
- Initial training, including a walkthrough of the setting, identification of sprinkler and fire extinguisher locations, and location of emergency number postings;
- Embedded program strategies to help all students understand the nature of the drills;
- Special provisions for the evacuation of any mobility-impaired student;
- Identification of the location of emergency information for students to be taken during an evacuation;
- A written log of each evacuation drill report sheets that includes date, time elapsed, participants (students and staff), witnesses, etc.

Each SWCEC program has an assigned and trained Collaborative Liaison to the building principal. The Collaborative Liaison participates in the annual staff training and has a more in-depth understanding of the overall evacuation/fire/emergency response options and acts as support to the other Collaborative staff within the building. The Liaison is known to the building principal and office as the contact person in case of emergency related to evacuation/lockdowns/fire/building emergencies. The Collaborative Liaison will ensure that all SWCEC program information relative to the drill or emergency situation is shared with the school district authority in charge of the building in which the program(s) are sited. The Collaborative Liaison also immediately shares information regarding the

outcome of the drill or the status of the emergency with SWCEC Director of Special Education. SWCEC has general processes for all Collaborative programs.

Bus Rules

- After boarding the bus, take a seat as quickly as possible.
- Do not bring animals, weapons, or dangerous objects on the bus.
- Obey the bus operator at all times while under his/her supervision.
- Maintain an acceptable manner of conduct at all times. (Smoking/vaping, vulgarity and boisterous or other conduct will not be permitted.)
- Remain seated while the bus is in motion.
- Do not extend arms or head out of the bus windows at any time.
- Do not damage or deface any part of the bus.
- Do not play music with external speakers on the bus.
- Do not tamper with operating mechanisms.
- Assist the bus driver in keeping the bus clean by not eating or drinking while on the bus.
- A pupil will not be allowed to board or leave the bus at any place other than his/her regular stop without the written consent of the bus company and a parent.
- Students having to cross the road when loading and discharging are to cross in front of the bus, not the rear, upon the driver's signal.
- Students are expected to comply with bus rules and regulations set forth by their transportation provider.

BUS TRANSPORTATION

If there are difficulties in the transportation of your child, you may contact either the school or the Special Education Department from your town directly.

In the event that your child is suspended from the bus for inappropriate behavior, you should know that his bus suspension does not mean that he/she cannot attend school. Although the bus will be unable to transport your child to and from school during the time of suspension, you may transport your child to and from school on your own. It is important that your child arrives to school on time and is picked up at the appropriate dismissal time.

PERMISSION TO DRIVE TO SCHOOL

A student who is in possession of a valid driver's license and has earned trust level status at SWCEC may be considered to drive to school. This student will have to officially request permission from the principal, fill out all appropriate paperwork, and have signed consent from a parent or guardian. When this information is in the possession of the principal, a meeting with the principal and other appropriate staff members (counselor, teacher, parent, administration or other) will be made to discuss the privilege of driving to school.

The following are expectations/rules that are to be followed in order to keep his/her driving privileges. It is important to remember that the privilege to drive to school is the decision of administration and can be revoked at any time.

Rules and regulations to be observed by students using the student parking facilities:

- Student drivers should plan to arrive at school at 8:10 am and enter the school immediately upon arrival – no loitering is permitted in the parking lot.
- Drive only to assigned parking spot.
- Never block the passage of buses or students. Do not park in the faculty/visitors parking lot, the main driveway, or handicapped areas.
- After 8:10 am, students may not return to their vehicles without office permission unless leaving school for the day.
- The maximum speed limit is 5 miles per hour on school grounds at all times.
- Keys must be removed, and cars must be locked.
- Even the slightest auto accident on school grounds must be reported to the office at once.
- All general school rules apply to parking lot. (Example: no smoking in cars)
- Cars not properly registered in the school office are subject to being towed away at owner's expense.
- ALWAYS YIELD THE RIGHT OF WAY TO BUSES WHEN ON SCHOOL GROUNDS.
- Student drivers will be dismissed BEFORE or AFTER buses have left the property– no loitering.
- All safety rules of the road will apply when driving to and from school and on school grounds. Reckless driving at any time will result in suspension of driving privileges.
- The parking lot is school property and the space where you park is provided to you free of charge. School officials reserve the right to search cars in the parking lot if necessary.
- All student cars must be registered in the office and must display a student parking permit while on school property.
- Only cars with permits are allowed to park in the back
- parking lot. Visitors or parents dropping off students must do so in the parking lot at the front of the building.
- Driving to school is a privilege. This privilege will be denied or revoked at any time.
- Any student who is suspended out of school may lose his/her privilege for 90 school days.
- Any student with a permit who leaves school property without permission will lose his/her driving privilege.
- A student who gives his/her permit to someone else will lose that permit.

MOTOR VEHICLE IDLING

603 CMR 28.03(1)(a)(4) No motor vehicle operator shall cause or allow any motor vehicle operated by him or her on school grounds to idle unnecessarily, except for any of the following reasons: traffic conditions; queuing at a school for the purpose of picking up or discharging students; turbo-charged diesel engine cool down or warm up; maintenance of appropriate temperature for school buses when accepting or discharging passengers not to exceed three minutes in any fifteen minute period or one minute in any fifteen minute period for other motor vehicles; for circumstances involving safety or emergencies; and, for servicing or repairing motor vehicles. Additionally, no motor vehicle operator shall idle a motor vehicle engine within 100 feet of a known and active school air intake system, unless the school has determined that alternative locations block traffic, impair student safety, or are not cost effective.

SOCIAL NETWORKING

Internet Acceptable Use Policy still in effect

This guidance is in addition to, and not as a substitute for, the school's Internet Acceptable Use

Policy, which governs the use of the school district's technological resources.

SWCEC recognizes the proliferation and, in some instances, usefulness of online conversation between staff members and students or between staff and students' parents/guardians. However, due to the nature of social networking sites, there exists a risk that, without care and planning, appropriate boundaries may not be maintained between one's professional life and personal life, and between staff and students. Students are provided with technology necessary to participate in learning activities. It is expected that students utilize these devices appropriately and in accordance with faculty expectations and acceptable use. To ensure student safety, any violation of these expectations may result in parental notification and disciplinary measures. Social networking platforms are not appropriate for academic classroom use. Students are strictly prohibited from accessing social networking platforms on grounds during school hours. Teachers and students are prohibited to communicate via professional pathways such as email or phone call. Social networking platforms are not appropriate for this informal communication.

VIDEO SURVEILLANCE

Purpose: SWCEC supports the use of video cameras for the purpose of enhancing school safety and security. Video surveillance will be used to promote a safe and secure teaching and learning environment for students and staff, to protect school property and to deter and prevent criminal activity.

Signage and Notification: Signage will be posted to notify students, parents, staff and the general public of SWCEC's use of security cameras. Students, parents, and staff will receive additional notification at the beginning of each school year regarding the use of video surveillance cameras. Such notification may include staff and student handbooks.

Camera Placement: The video surveillance will only be installed in public areas. These areas include, but are not limited to, grounds, exterior entrances or exits to school buildings and large gathering areas such as corridors, cafeteria, lobby and main entries. Cameras will not be used where there is a reasonable expectation of privacy, including but not limited to restrooms, changing rooms, private offices, nurses' offices or locker rooms.

Viewing: There will be no monitoring of live recordings, except in the case of a suspected emergency or safety concern. Reviewing the recordings will occur only when a suspected incident is committed inside or outside the building (e.g. vandalism, graffiti, etc.). Viewing the data is to be performed by authorized personnel that have been expressly designated by the Executive Director or designee. No sound is to be monitored or recorded in connection with the video surveillance system. Documentation shall be maintained of all episodes of access to or use of recorded materials.

Limited Access to Recordings: Any video recordings used for security purposes in school buildings or on school grounds are the sole property of SWCEC. Release of such videos will be made only as permissible pursuant to applicable laws and with the permission of the Executive Director or his/her designee.

Storage: All video data will be stored in a secure place to avoid tampering and ensure confidentiality in accordance with applicable laws and regulations.

Health Care Policies and Procedures

HEALTH

The return to school is an exciting time for students and families. In addition to school supply lists and preparatory visits, parents often request assurance that their child's health needs will be met while at school. There are many components to good health, and students who are healthy are more likely to be ready to learn. Back to school is a unique opportunity for families to evaluate and review their student's individual health care needs and to make the important connection to their school health service provider.

Please note: School entry serves as a "Safety net" to ensure that children have health services in place. It is important for the child's wellness and education that he/she has a primary care provider, dental provider and health insurance at school entry. If the parent needs assistance in accessing resources, he/she should contact the school nurse.

School nurses are key clinical health providers in the school setting and are a strategic link in meeting the myriad of health needs presented in schools. It is important for parents to learn to know their child's school nurse and to maintain ongoing communication regarding their child's health considerations. This relationship is essential to effective and successful health outcomes during the school day. Because there are a range of health policies across school districts in the Commonwealth, it is important for families to understand both the state and their local school health policies. The following is a brief summary of health information that will assist families in preparing for the return to school.

Please see the "Health Services Procedure Manual" for more in-depth procedures and requirements.

The following are health requirements for students attending SWCEC (The SWCEC Grow, Work Experience, and Developmental Program):

- No student may be admitted to school without documentation of updated immunizations, according to Massachusetts State Law. To ensure continued attendance in school, immunizations must be kept up-to-date. Complete immunization certificate/record are required at admission to SWCEC (regardless of grade), transfers/readmission, 4th grade, 7th grade, 10th grade, and anytime a vaccine record is updated (annual PE, vaccine administration visit).
- Documentation of at least one lead screening (date and result) is required at admission (regardless of grade entering).
- Documentation of a TB test and/or TB vaccine, and/or MD documentation of student's risk (typically documented onto a student's annual PE) is required at admission (regardless of grade).
- Copy of the most recent Physical Exams is required at admission (regardless of grade), as well as in grade 4, grade 7, grade 10, and transfers/readmission. This Physical should include a screening (high-risk or low-risk) for Tuberculosis.
- Postural and BMI screenings are done annually by the School Nurse. Notices are sent out prior to the screenings. Parent/Guardian will be informed of BMI results for those students in Grade 1, 4, 7. Due to the unique nature of our students, Hearing and Vision screenings are deferred to

your child's PCP or Specialist. We do ask that you submit completed screenings to the school nurse upon completion.

- Medical and General Information Forms will be emailed home at the beginning of each school year should be filled out completely and returned immediately. Phone numbers and addresses should be kept up-to-date.
- Please keep your child's Teacher, Counselor and the School Nurse informed of any medical problems.

IMMUNIZATIONS

Immunizations are a vital communicable disease control mechanism, and evaluation of current immunization status is recognized as an important checkpoint in determining the student's affiliation with a primary health care provider. State regulations require each child to meet grade entry immunization requirements. Parents may opt out of immunizing their child, per state law, either due to sincere religious beliefs or due to a medical exemption. Documentation must be provided annually by parent/guardian stating their child is not immunized due to their sincere religious beliefs or a letter submitted by the child's HCP stating the child is medically compromised.

MANDATED SCREENING PROGRAMS

Per state mandate, the school nurse coordinates and implements screenings each year.

- POSTURAL SCREENING: Annually grades 5-9
- BMI: Annually grades 1, 4, 7, 10
- HEIGHT and WEIGHT: Annual grades 1, 4, 7, 10

*For students who are unable to participate in these screenings; the school nurse will inform the parent/guardian and request the screening be performed by the student's health care provider. Documentation of screening/exam results will be requested to be sent to school by the parent/guardian to be maintained in the student's at school confidential health record. Parent/Guardian will be informed when screenings are occurring during the school year, and results will be sent regarding outcome of BMI. Results of screenings will only be sent (attached to the daily behavior sheet and/or home log) if a referral is being made.

MEDICATION ADMINISTRATION

When a child requires medication (over-the-counter or prescription) during the school day, parents are required to contact the school nurse and provide:

- Completed Physician's order for each medication being administered at school (Form attached to this document)
- Electronic Signature on Medical Forms (submitted annually) granting parental permission to administer any prescribed medications.
- Medication in original pharmacy supplied container with prescription label attached (30d maximum allowed). For short term prescription medications (10 days or less); the prescription label on the bottle/box can replace the Physician's order. A parental consent form is still required.

The administration of medications to children at school is managed by a school nurse with provisions for self-administration of selected medications, as determined by the school nurse. The SWCEC does not permit students to carry any medications on their person at all during the school day or at school.

Medications cannot be transported to or from school by the student; a responsible adult (parent/guardian or his/her designee) must deliver medication to and from school to be handed directly to the school nurse or the administrative specialist at the front office/desk.

Medications will not be administered at school to your child without an up to date completed Physician order or up to date and completed parental authorization/consent form on file. These are

renewed annually at the start of the school year.

Over-the-counter medications may be administered in school with parental consent. These include Acetaminophen (Tylenol), Ibuprofen (Advil, Motrin), Diphenhydramine (Benadryl), Calcium Carbonate (Tums). Please complete and sign the attached form. The above over the counter medications are kept on hand at school. For student's with other over the counter medications (Dye-Free versions of the above Fast Melt tabs of the above) are not stocked at school and will need to be supplied by the parent/guardian. Any other over the counter medications not mentioned are not stocked at school and cannot be given unless there is a Physician's order, parental consent, and supply of the medication delivered to school by the parent/guardian.

Please remember that medications must be delivered to the school by a responsible adult in their original container with a prescription label. Medication brought to school by students will be given to the school nurse and the parent/guardian contacted promptly regarding plans for retrieval of the medication and to review school policy on medications at school.

No more than a 30-day supply will be kept at school. The parent/guardian will be notified of any unused medications and will have 30 days to pick up the medication. Otherwise, it will be destroyed by the school nurse.

Please notify the school if your child's medications have changed (dose increase or decrease) or have been discontinued, or in the event that your child has been prescribed any new medications, including short-term medications. Medication Change Forms are available through the school nurse. In the event that your child's medication status has changed, a form will be sent home and you will be expected to complete the form and return it to school in a timely manner. All changes are considered new orders, and there must be a completed Physician's order and parental consent form on file for all medications given at school that matches the current dose being given.

CHILDREN WITH SPECIAL HEALTHCARE NEEDS

If a child has asthma, allergies, diabetes, seizures, attention deficit disorder, or any other condition requiring special health services in the school and/or is assisted with medical technology, etc., it is vital that the parent meet with the school nurse and develop an Individual Health Care Plan prior to school entry. Physician's orders for care in school will need to be shared with the school nurse. For complex care requiring a team approach, a team meeting before school entry is recommended with the goal that services are in place prior to the start of school so the child is ready to learn.

FIRST AID/ILLNESS/DISMISSAL FROM SCHOOL

Assessment and treatment by the school nurse are provided for minor injuries or illnesses during the school day. The nurse will dismiss any child who is too ill to be in school, requires further assessment or treatment for an illness or injury, or is considered to be contagious or susceptible to disease.

If a student becomes ill or is seriously injured, but the situation is not life-threatening, his/her parent or guardian is notified immediately. If a parent cannot be reached but the student requires further treatment, he/she will be transported via ambulance to the appropriate medical facility.

A student who exhibits symptoms of a communicable disease may be temporarily excluded from

school/work, M.G.L. c.71s.55A. A physician's note authorizing the student return to school will be required prior to the student being allowed back to school/work.

Please see the "Health Services Procedure Manual" for Student Illness Dismissal Procedures.

Please be sure your emergency contacts can be reached and are able to pick up your child if he/she is sick: otherwise they will be brought to the nearest hospital.

In the case of an emergency, 911 will be called and the student will be transported to the hospital via ambulance. A staff person, when available, will accompany the student to the emergency room. Parents/guardians will be called and asked to meet the child at the hospital, or to contact the hospital.

Parents will be notified via telephone by either the school nurse, guidance, or the program coordinator when medical care other than basic first aid is administered to their child.

Confidentiality will be maintained by the staff of the school and health departments, with an absolute minimum of staff informed of the student's condition.

CONFIDENTIALITY

Student health records are considered school records and are subject to the provisions of the Family Educational Rights and Privacy Act or 1974 (FERPA). Health records contain requirements for admittance to school such as physicals and immunization records, reports requiring health services provided to a student during the school day, medication information and student diagnosis, and correspondence regarding health issues. Health information will be stored in a locked file cabinet in the nurse's office.

Parents/guardians and students over the age of 18 have the right to inspect all health records concerning that student. They must put the request to inspect health records in writing to the school nurse at least 24 hours in advance. Parents have the right to appeal anything in a student's file which they consider inaccurate, misleading, or in violation of the student's rights of privacy or other rights. School health records will be kept for up to 7 years and then destroyed.

Legal Policies

ATTENDANCE POLICY

The Southern Worcester County Educational Collaborative (SWCEC) seeks to promote good school attendance. Massachusetts General Laws Chapter 76, Section 2 Ma states that: Every person in control of a child...shall cause him to attend school as therein required, and, if he fails to do so for seven day sessions or fourteen (14) half day sessions within any period of six months, he shall, on complaint by a supervisor, be punished by a fine of not more than twenty dollars.

Massachusetts General Laws Chapter 76, Section 4 states: Whoever induces or attempts to induce a minor to absent himself unlawfully from school, or unlawfully employs him or harbors a minor who, while school is in session, is absent unlawfully therefore, and shall be punished by not more than two hundred dollars (\$200).

At SWCEC, students 17 years of age or older are also expected to conform to the same rules of attendance and must conduct themselves accordingly. Students arriving to school after 11:00 AM or dismissed prior to 11:00 AM are considered absent from school per state regulations and will be recorded as such under this policy. In conjunction with the LEA, as part of the TEAM Meeting, the school may file a CRA (Child Requiring Assistance) petition for excessive absences. Although students may receive a passing grade in a class, the credit normally awarded toward promotion or graduation may be forfeited. A student changing classes during a marking period will have his/her total accumulation of absences in the former class carried over into the new class.

Pupil absence notification program:

M.G.L. c. 76 has been amended to include section 1B, in which the school notifies a parent or guardian if the student was absent and the parent has not notified the school of the absence within 3 days of the absence.

In addition, the school will notify the parent or guardian of a student who has:

- Missed 2 or more periods unexcused over at least 5 days in a school year, or
- Missed 5 or more school days unexcused in a school year.

SWCEC will make reasonable efforts to meet with the parent or guardian of a student who has 5 or more unexcused absences to develop an action plan for student attendance as prescribed in the statute.

Excused Absences will be exempt from the absence rule if they are for the reasons listed below. An excused absence carries with it the opportunity to make up all assignments upon the student's return to school.

- Illness verified through written documentation by a physician
- Death in the family/family emergency through written documentation
- Documented medical, dental, legal appointments
- Religious observance
- College interview or college visitation (3 maximum per school year), prior approval required from a student's college counselor.
- School sponsored trips or representing SWCEC at a school activity
- Extenuating circumstances which have the prior approval of the administration
- Any form of suspension

All written documentation, which applies to the excused absence rule, must be turned in within 5 days of the absence or absences. Written documentation from parent/guardian for absences concerning medical and legal appointments is kept on file.

Unexcused Absences are subject to the absence rule that may result in loss of credit.

Unexcused absences are defined below and may result in further consequences:

- Cutting class
- Truancy, students committing truancy will be subject to an in-school consequence
- Any absence confirmed by a parent/guardian that does not correspond to the excused absence provision
- Tardy after 11:00 A.M. that does not correspond to the excused tardy provision.
- Skip days (beach days, ski trips, etc.) by groups of students are considered separate from the rules of truancy and are regarded as very serious offenses. A parent(s)/guardian(s) permission does not make this action permissible.

Parent(s)/Guardian(s) must notify the school if their child is absent. In order to properly distribute an accurate attendance list to staff, parents/guardians must notify the school no later than 8:16 AM. If we do not receive a call, school personnel will contact the parent/guardian at the home or work; you may request a change in the notification number by contacting the school Main Office. If no contact is made, a note is required upon the student's return. A phone call does not excuse any absence; it only verifies if the student is/isn't truant.

ANTI-HAZING POLICY

Hazing is prohibited under Massachusetts General Laws, Chapter 269. Under the law, "Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than a year, or both fine and imprisonment." Any student who takes part in the organization of or who is a participant in the crime of hazing shall be suspended from school and the club, event, or activity to which the hazing was related and from all other clubs, events, or activities in which he/she is a participant. In addition, the incident and name of student(s) will be reported to the local police department for investigation and prosecution.

Please refer to Appendix for the relevant sections of Chapter 269.

BULLYING INTERVENTION AND PREVENTION

SWCEC complies with the Massachusetts Bullying Prevention Law, M.G.L. Ch. 71, s. 370, and in accordance with this law, has adopted a Bullying Prevention and Intervention Plan. It is the policy of the SWCEC to take pro-active, reasonable measures designed to provide a learning and working atmosphere for students, employees and other members of the school community free from sexual harassment, bullying, hazing and intimidation. These terms are referenced herein as "harassment", which is more particularly defined below. The Collaborative, in the strongest possible terms, condemns harassment. We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic, status, homelessness, academic status, gender identity or expression, physical appearance, or sensory, disability, or by association with a person who has or is perceived to have one or more of these characteristics. The school will identify specific steps

it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

It is a violation of policy for any administrator, teacher or other employee, or any student or other member of the school community, to engage in or condone harassment in school, on school grounds or at or in a school-related function, activity, communication, or contact, or to fail to report or otherwise take reasonable corrective measures when they become aware of an incident of harassment. This policy is not designed or intended to, nor shall it limit the school's authority to take disciplinary action to take remedial action when such harassment occurs out of school but has a sufficient nexus to school under applicable law or is disruptive to an employee's or student's work or participation in school-related activities.

Reports of harassment, including, but not limited to, cyber-bullying by electronic or other means, occurring in or out of school will be reviewed, and, when a sufficient nexus to school or school-related work exists, will result in discipline.

It is the responsibility of every employee, student and parent to recognize acts of harassment and take reasonable action to see that the applicable policies and procedures of SWCEC are implemented. All members of the school community are and must act as partners in such efforts if we are to have any reasonable chance of success in preventing or minimizing activity of this type, which is harmful to both the victim and the perpetrator.

Any employee or student who believes that he or she has been subjected to harassment has the right to file a complaint and to receive reasonably prompt and appropriate handling of the complaint. While proper enforcement of this policy foreseeably may require disclosure of any or all information received, all reasonable efforts will be made to maintain confidentiality to the extent consistent with such enforcement.

The Executive Director or Designee shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to any form of harassment.

Prohibition and Definitions

Harassment, including bullying, may take a variety of forms. It is utterly unacceptable in a school or work environment. As a result, neither any student, nor employee nor other member of the school community shall be subjected to harassment, intimidation, bullying, or cyber-bullying in any public educational institute.

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

“Harassment”, including “Bullying”, the latter including but not limited to “cyberbullying”, as used in this policy means an unwelcome written, electronic, verbal or physical communication, act or gesture which: (1) reasonably causes a student or employee to feel coerced, intimidated, harassed or threatened and (2) under the circumstances foreseeably may cause: (a) a reasonable person to suffer physical or emotional harm, or (b) damage to a student’s or employee’s property, or (c) a disruptive or hostile school environment. The behavior must interfere with an employee’s ability to perform his or her duties or with a student’s academic performance or ability to learn, or interfere with a student’s ability to participate in or benefit from services, activities, or privileges:

1. That are being offered by or through the Collaborative; or
2. during any Collaborative-related educational program or activity; or
3. while in school, on or using Collaborative property or equipment, in a school vehicle, on a school bus, at school-designated bus stops, at school sponsored activities, at school-sanctioned events; or
4. through the use of data, telephone or computer software that is accessed through a computer, computer system, or computer network or any public education institute related to or provided or facilitated by the Collaborative; or
5. in circumstances otherwise having a sufficient nexus with the Collaborative.

“Electronic communication” as used in this policy means any communication through an electronic device, including but not limited to a telephone, cellular phone, computer or pager.

Guidelines and Procedures for Investigating and Processing Harassment Claims

Harassment may take many forms. At SWCEC, such could involve an instance of staff member to staff member, staff member to student, student to staff member, or student to student. It conceivably could also include parent to a student other than the parent’s child, staff member to parent, or parent to staff member. A staff member could be, but is not limited to: educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals. This listing is illustrative, and the procedures set forth herein are not intended to limit the definition of harassment, nor the Collaborative authority to take appropriate action as to same except to the extent that specific subject matter is expressly addressed herein.

Guidelines and procedures for dealing with any charge of harassment are as follows:

In all charges of harassment, the victim should describe in writing the specifics of the complaint to ensure that the subsequent investigation is focused on the relevant facts.

If possible, the victim should sign the complaint. Oral and anonymous complaints will be reviewed but are inherently difficult to investigate and may not be procedurally fair; as a result, no disciplinary action shall be taken on anonymous complaints unless verified by what the administration in the good faith exercise of its reasonable discretion deems to be clear and convincing evidence. All other complaints will be reviewed based on a preponderance of evidence standard, namely whether the administration in the exercise of its aforementioned discretion, taking into account all material information and circumstances, concludes that a violation of this policy more likely than not has occurred.

Any school employee who has reasonably reliable information that would lead a reasonable person to suspect that a person may be a target of harassment, bullying or intimidation shall immediately, as a condition of employment report it to the administration. Each school shall document each prohibited incident that is reported and confirmed, and report each such incident and the resulting consequences,

including discipline and referrals if any, to the Executive Director's office in timely fashion and without any avoidable delay.

If an instance of student to student harassment, as defined in Sec. II above, is reported to a staff member other than an administrator, the staff member must inform the Executive Director or Designee in a timely fashion. If the alleged harasser would otherwise be responsible for conducting an investigation, the Alternate Harassment Coordinator designated by the Executive Director, shall conduct the investigation and report to the alleged harasser's immediate supervisor.

If a situation involving a charge of staff member to student harassment, as defined above, is brought to the attention of any staff member, the staff member should notify the Executive Director immediately.

Once a charge of harassment has been made, the following course of action should be taken:

1. The Executive Director or Designee should conduct a reasonable, factual investigation by means of discussions with the individuals involved, any other witnesses if any, review of any documents and other, written or electronic materials, etc.

If the Director does not conduct the investigation, he should review the Designee's report and supporting documentation (by way of example only, any written, signed statements by the complainant setting forth the allegations, any such statement by the accused and witnesses, and any other materials such as those mentioned above), as appropriate to the then current stage of the investigation and before making any determination as to whether a violation more likely than not has occurred, and if the Director deems such necessary or advisable should conduct direct interviews himself during or following such review and before making a determination. In situations involving allegations against an employee, the employee should be accorded all rights provided by any applicable statute and/or collective bargaining agreement, including but not limited to being informed of his/her right to have a third party present at the time of the discussion if apt, and in the case of a teacher of the right to counsel if the any discussion could conceivably lead to a suspension (see, M.G.L. c. 71, sec. 42D).

In situations involving harassment of students, the Director should conduct an investigation with the appropriate classroom or special subject area teacher. Parents will be informed of the situation and invited to participate in resolution discussions if warranted.

Parents of students alleged to have engaged in harassment as to whom suspension is imposed shall be notified orally and in writing that they, or one of them, must attend a meeting at which the conduct giving rise to the complaint may be reviewed. Before any final decision is made as to whether to impose discipline exceeding ten (10) school days, and the nature of such discipline, the student and his/her parent(s) will be informed in reasonable detail of the factual allegations underlying the complaint and given an opportunity to respond to and provide any information material to same. At the Collaborative discretion, depending on its preliminary assessment of the seriousness of a reported incident of alleged harassment, a student accused of harassment may be suspended from school under the procedures for suspension set forth in the student-parent handbook and not readmitted to the regular school program until the student and his or her parent(s) attend such meeting. A satisfactory conference with the student and his or her parent(s) or legal guardian(s) must occur prior to the students' readmission. It is important that each situation be resolved as confidentially and as quickly as circumstances reasonably permit.

2. At any stage of the proceedings the alleged harasser and the victim may discuss the matter at a

resolution meeting in the presence of the Executive Director or Designee and/or parent when appropriate. During this discussion, the offending behavior should be described by the victim and the administration. If warranted, a request for a change in behavior should be made, and a promise should be made that the described behavior will stop and not recur. If circumstances do not permit a face to face meeting, the administration will present the victim's position. Follow-up verification procedures will be explained. Failure to comply after a resolution, if any, is voluntarily reached at such a meeting will result in appropriate discipline. The Director or his or her designee at the close of the meeting shall prepare a written summary of the discussion held at the meeting and of any resolution, if any, agreed to at same, and shall ask the parties attending the meeting to review, date and sign the agreement. The Director shall sign the summary, and if any party to the meeting refuses to sign shall note that fact thereon. No such memorandum must be included in a student's school record or an employee's personnel file unless otherwise required by law, but the Director shall keep a copy of same in her or his records.

If after a resolution meeting with the involved parties, the Building Director determines that further disciplinary action must be taken, the following may occur:

- 1) In instances involving student to student or student to staff member harassment, subject to applicable law and the disciplinary procedures set forth in the student-parent handbook, the student may be subject to discipline, including but not limited to counseling, suspension or expulsion.
- 2) In instances involving staff member to student and staff member to staff member harassment, findings will be reported to the Executive Director for further action. Personnel action, up to and including discharge from employment, may also be initiated at this point, consistent with applicable law and collective bargaining agreement.
- 3) In all cases where in the good faith judgment of the Director or Executive Director the circumstances so warrant, a referral to law enforcement will be made. School officials will coordinate with the Police Department to identify a police liaison for harassment cases.
- 4) The Director or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.
- 5) At least once every four years beginning with 2016/17 school year, SWCEC may administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, the school or district will annually report bullying incident data to the Department.

Retaliation:

Retaliation is prohibited in any form against any person who has made or filed, or provided any information as to, a complaint relating to harassment. Any employee or student found to have engaged in the same shall be subject to discipline in accordance with applicable law. In the case of an employee, up to and including dismissal from employment, and in the case of a student up to and including expulsion. If warranted, a referral to law enforcement shall also be made.

Confidentiality:

Reports of harassment should be kept completely confidential to the extent consistent with necessary investigation procedures, with the goal of protecting the victim and stopping the behavior.

Problem Resolution System:

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education (DESE) Program Resolution System (PRS).

That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information are also available at the Executive Director's office.

DUE PROCESS AND STUDENT DISCIPLINE

All students have the constitutional right to receive due process procedures including notice and the right to a hearing where required in matters of suspension, expulsion or removal.

Massachusetts General Laws Chapter 71, sections 37H, 37H ½, and 37H ¾, and the Massachusetts Student Discipline Regulations, 603 CMR 53.00 address the obligations of school districts in terms of student discipline.

Procedural Due Process under M.G.L. Ch. 71, s. 37H¾

In addition to written warnings, detentions, and other consequences, available to the Collaborative, the Massachusetts Student Discipline Regulations define the following:

- (1) In-School Suspension: This is a removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or nor more than ten (10) school days cumulatively for multiple infractions during the school year. In-school suspension is also available as an alternative to short-term suspension for disciplinary offenses. There is no appeal to the Executive Director for an in-school suspension.
- (2) Short Term Suspension: This is a removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. The school administrator may allow the student to serve a short-term suspension in school. There is no appeal to the Executive Director for a short-term suspension.
- (3) Long-Term Suspension (under M.G.L. c. 71, s. 73H¾): This is the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. If the offense may result in the student's suspension for more than ten (10) consecutive days or cumulatively in a year, the parent/guardian and student have the following rights:
 - 1) the right to review the student's record and the documents upon which the school may rely in making a determination to suspend the student or not;
 - 2) the right to be represented by counsel or a lay person at parent expense;
 - 3) the right to produce witnesses on student's behalf and present your explanation of the alleged incident;
 - 4) the right to cross-examine witnesses presented by the school district;
 - 5) the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request.

A long term suspension will not exceed 90 school days (this does not apply to suspensions under M.G.L. 37H and 37H½).

There is the right to appeal to the Executive Director any decision made to impose a long-term school suspension.

Executive Director's Hearing under M.G.L. c. 71, § 37H¾

- (1) A student who is placed on long-term suspension following a hearing with the principal shall have the right to appeal the principal's decision to the Executive Director.
- (2) The student or parent shall file a notice of appeal with the Executive Director within 5 calendar days (provided that within the five calendar days, the student or parent may request and receive from the Executive Director an extension of time for filing the written notice for up to seven additional

calendar days). If the appeal is not timely filed, the Executive Director may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

(3) The Executive Director shall hold the hearing within three school days of the student's request, unless the student or parent requests an extension of up to seven additional calendar days, in which case the Executive Director shall grant the extension.

(4) The Executive Director shall make a good faith effort to include the parent in the hearing. The Executive Director shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Executive Director to participate. The Executive Director shall send written notice to the parent of the date, time, and location of the hearing.

(5) The Executive Director shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Executive Director shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Executive Director shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.

(6) The student shall have all the rights afforded the student at the principal's hearing for long-term suspension under 603 CMR 53.08(3)(b).

(7) The Executive Director shall issue a written decision within five calendar days of the hearing. If the Executive Director determines that the student committed the disciplinary offense, the Executive Director may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision.

(8) The decision of the Executive Director shall be the final decision of the Collaborative with regard to the suspension.

Revision- Discipline 37 H ¾

Executive Directors and building administrators should take particular care to monitor the suspension of preschoolers and young children to determine whether alternatives to suspension are available within the school and are adequately considered. Whenever a principal decides to suspend a student in a preschool program or in grades K-3 from school, regardless of the length of the suspension, the principal must send a copy of the written decision to the Executive Director / executive director before the suspension takes effect and explain the reasons for excluding the student from school.

Emergency Removal

A principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The temporary removal shall not exceed two school days following the day of the emergency removal, during which time the principal shall:

(a) Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal;

(b) Provide written notice to the student and parent;

(c) Provide the student an opportunity for a hearing with the principal, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent;

(d) Render a decision orally on the same day as the hearing, and in writing no later than the following

school day.

(2) A principal may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

Drugs, Weapons, Assault

Exclusions under M.G.L. Chapter 71, s. 37H

The exclusion or expulsion of a student from school will be in accordance with Massachusetts General Laws, Chapter 71, Section 37H. The grounds for exclusion or expulsion include but are not limited to the following:

- a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun, a knife, or their facsimile, or anything used in the commission of assault and battery; or a controlled substance as defined in Chapter 94 C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
- b) Any student who assaults a principal, assistant principal, teacher, teacher's aide, or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
- c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at a hearing before the principal. After said hearing, a principal may, in his/her discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).
- d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Executive Director. The expelled student shall have ten days from the date of the expulsion in which to notify the Executive Director of his/her appeal. The student has the right to counsel at a hearing before the Executive Director. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- e) If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan.
- f) Any student who is suspended or expelled pursuant to this section shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal.
- g) Any student who is suspended or expelled pursuant to this statute for more than ten (10) consecutive days shall have the opportunity to receive education services and made academic progress toward meeting state and local requirements, through the school-wide education service plan.

Felony Complaint/Conviction

EXCLUSIONS UNDER M.G.L. C 71, s. 37H1/2

Pursuant to Massachusetts General Laws Chapter 37 H ½, the following procedures shall be implemented for students charged with or convicted of a felony:

- a) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in

which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of this right to appeal and the reasons for such suspension taking effect. Upon expulsion of such student, no school or school district shall be required to provide educational services to the student shall also receive written notification of this right to appeal and the process for appealing such suspension; provided however, that such suspension shall remain in effect prior to any appeal hearing conducted by the Executive Director.

- b) The student shall have the right to appeal the suspension to the Executive Director. The student shall notify the Executive Director in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The Executive Director shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to counsel. The Executive Director shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The Executive Director shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the suspension.
- c) Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have a detrimental effect of the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Executive Director.
- d) The student shall have the right to appeal the expulsion to the Executive Director. The student shall notify the Executive Director, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The Executive Director shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The Executive Director shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The Executive Director shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the expulsion.
- e) Any student who is suspended or expelled pursuant to this section shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal.
- f) Any student who is suspended or expelled pursuant to this statute for more than ten (10) consecutive days shall have the opportunity to receive education services and made academic progress toward meeting state and local requirements, through the school-wide education service plan.

Education Services and Academic Progress

Under Sections 37H, 37H1/2 AND 37H3/4:

Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English as determined by the home language survey, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

NON-DISCRIMINATION POLICY

SWCEC has a commitment to maintaining an educational environment where intolerance, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, sexual orientation or identity, limited English speaking abilities, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics, are not tolerated.

The Collaborative prohibits harassment and discrimination, sexual or otherwise, of any of its students, as such conduct is contrary to the mission of the Collaborative and its commitment to equal opportunity in education.

Harassment, defined below, is prohibited by the Collaborative, and violates the law. For purposes of this policy, "school" includes school – sponsored events, trips, sporting events, and similar events connected with school or employment. Further, any retaliation against an individual who has complained about discrimination or harassment, or any retaliation against any individual who has cooperated with an investigation of a discrimination, harassment or retaliation complaint, is similarly unlawful and will not be tolerated.

SWCEC takes allegations of discrimination and harassment seriously and will respond promptly to complaints. Where it is determined that harassing conduct which 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, which may include school-related discipline.

Definition of Discrimination and Harassment

"Harassment" is defined as unwelcome conduct, whether verbal or physical, that is based on race, color, religion, ancestry, national origin, sex, sexual orientation or identity, limited English speaking abilities, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. Discrimination and/or harassment include, but are not limited to:

- 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 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, Title IX and state statutes like M.G.L. 161C, by federal courts, state courts, the U.S. Department of Education, Office for Civil Rights, and the Massachusetts Commission Against Discrimination.

“Sexual harassment” is defined as unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- Submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly as a term or condition of employment, academic standing, school-related opportunities, or as a basis for employment decisions.
- Such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual’s academic or work performance by creating an intimidating, hostile, humiliating, or sexually offensive work or educational environment.

While it is not possible to list all circumstances that may be considered sexual harassment, the following are examples of conduct that violate the law and policy and which, if severe and pervasive, constitute sexual harassment. In each case, such a determination will depend upon the totality of the circumstances, including the severity of the conduct and its pervasiveness.

Sexual harassment includes, but is not limited to:

- Unwelcome sexual advances, whether they involve physical touching or not.
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
- Sexual epithets, jokes, written or verbal references to sexual conduct, comments about an individual’s body, comments about an individual’s sexual activity, deficiencies, or prowess.
- Discussions of one’s own sexual activities or inquiries into others’ sexual experiences.
- Displaying sexually suggestive objects, pictures, cartoons.

The definitions of discrimination, harassment and sexual harassment are broad. In addition to the above examples, other unwelcome conduct, whether intended or not, that has the effect of creating a school environment that is hostile, offensive, intimidating, or humiliating to either male or female students may constitute discrimination, harassment and/or sexual harassment.

Reporting Complaints of Discrimination and Harassment

If any Collaborative student 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 through the Executive Director, who is the Collaborative’s Non-Discrimination Compliance and Complaint Officer. This may be done orally or in writing. Teachers or other staff members who observe incidents of harassment involving students shall report such incidents immediately to administration. Administrators aware of harassment involving any employee shall report such incidents to the Collaborative Non-Discrimination

Compliance and Complaint Officer (Executive Director or Designee).

Please note that while these procedures relate to the Collaborative policy of promoting an educational 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 Collaborative authority to discipline or take remedial action for conduct which the Collaborative deems unacceptable.

GENERAL POLICIES

1. No reprisals or retaliation shall be invoked against any employee or any student for processing, in good faith, a complaint, either on an informal basis or formal basis, or for participating in any way in these complaint procedures.
2. No reprisals or retaliation shall be invoked against any employee or any student who, in good faith, has testified, assisted, or participated in any manner in any investigations, proceeding, or hearing of a complaint or for otherwise participating in any way in these complaint procedures.
3. Whenever possible, a conference should be scheduled during a time that does not conflict with regularly scheduled work and/or school programs.
4. The Collaborative will work with an individual who files a complaint of discrimination or harassment; including conducting an investigation and holding conferences, in order to fairly and expeditiously resolve the complaint.

PROCEDURES

1. Informal Resolution of Discrimination and Harassment Complaints:

Before initiating the formal procedure, the student may wish, if possible, to resolve the complaint on an informal basis.

- a. The student can raise the issue with his/her teacher, Principal/Director, or Executive Director.
- b. SWCEC administration offices are located on 185 Southbridge Road, Route 131, Dudley, MA 01671. The Executive Director phone number is (508) 764-8500, ext. 1126.

The appropriate school or Collaborative administrator shall attempt, within his/her authority, to work with the individual to resolve the complaint fairly and expeditiously within ten (10) working days of receiving the complaint.

Whichever option is chosen; attempts will be made to resolve the matter to the satisfaction of the student who has made the complaint. If the student is not satisfied with the resolution, or if the student does not choose informal resolution, then the student can begin the formal complaint process.

2. Formal Resolution of Discrimination and Harassment Concerns:

A student may file the complaint in writing to the Executive Director no later than twenty (20) calendar days after the alleged discriminatory practice occurred in order for an expeditious investigation to be conducted, unless extenuating circumstances exist. However, all students should know that the Collaborative will investigate any complaint no matter when it is filed. The student shall fill out a *Discriminatory Practice Review Form* that will state the name of the individual and the location of the school/department where the alleged discriminatory practice occurred, the basis for the complaint and the corrective action the student is seeking. An employee, at the request of the student, may put the complaint in writing for the student.

The appropriate administrator will conduct the necessary investigation promptly after receiving the complaint. In the course of its investigation, the administrator shall contact those individuals that have been referred to as having pertinent information related to the complaint. This process shall include, at a minimum, contacting the complainant and the person against whom the complaint was filed and/or the principal or appropriate authority involved. Strict timelines cannot be set for

conducting the investigation because each set of circumstances is different. For example, sometimes the employees or students that are involved in the complaint are not immediately available. The administrator, however, will make sure that the complaint is handled as quickly as feasible and will strive to complete the investigation within thirty (30) working days. When more than thirty (30) working days is required for the investigation, the administrator shall inform the student who filed the complaint that the investigation is still ongoing.

After completing the formal investigation of the complaint, the administrator shall make a decision on the complaint, and shall inform the complainant and the person against whom the complaint was filed, of the results of the investigation. If the administrator finds that there is reasonable cause for believing that a discriminatory or harassing practice has occurred, the administrator will refer the matter to Executive Director and/or his or her designee for appropriate action, up to and including discipline for either the employee or the student(s) who engaged in the harassing conduct.

If no satisfactory resolution can be reached through the informal or formal resolution procedures detailed above, the student or employee has the right to take the complaint to an appropriate state or federal agency. Moreover, it should be noted that using the Collaborative complaint process does not prohibit the complainant from filing a complaint with these agencies.

See Appendix for SWCEC Board Approved policy on Title IX ACAB Harassment revised June 2020.

For students, complaints may be taken to the Office for Civil Rights, John W. McCormack Building, Post Office and Court House, Boston, MA 02109-4557 or to the Massachusetts Commission Against Discrimination, One Ashburton Place, Boston, Massachusetts

Massachusetts Commission Against Discrimination (MCAD)

Boston Office
One Ashburton Place
Room 601
Boston, MA 02108
Phone: 617-994-6000
TTY: 617-994-6196

STUDENT RECORDS

General Provisions

The student record contains all information concerning a student that is kept by the school district and which personally identifies the student; it consists of the temporary record and the transcript. SWCEC will maintain temporary student records for the purpose of fulfilling educational service contracts with the sending school district. Any parent action or request relative to any items in this section should be addressed with the sending district, not the Collaborative.

For purposes of these procedures, custodial parent refers to a divorced or separated parent who has physical custody of the child, and the non-custodial parent is the parent who does not have physical custody of the child. Non-custodial parents may not be eligible to access their child's student record or may have to follow certain procedures in order to access the student record.

Each eligible student and custodial parent/guardian, except as limited herein for certain parents, has the right to see the student record for that student within ten (10) days of submitting a written request to see the records. All requests for records will be referred to the sending district. Copies of any records may be obtained upon request and shall be provided within ten (10) days of the request. The

District may charge for the cost of reproducing copies.

The student's record is available to authorized school personnel who work directly with the student, or administrative/clerical personnel who need to have access to records in order to carry out their responsibilities. The term "authorized school personnel" includes, but is not limited to, administrators, teachers, counselors, therapists, paraprofessionals, administrative office staff, and clerical personnel. Authorized school personnel include those employed by SWCEC or under contract with SWCEC as an independent contractor. Authorized school personnel do not need permission to see student records. No information in the student's record is available to anyone outside the school system without written permission from the eligible student and/or parent and/or guardian, unless the requesting party is listed as an exception as provided by the Student Records regulations. Exceptions to the requirement of written permission include, but are not limited to, a probation officer, court order, subpoena, where health or safety requires the disclosure of student information/records or upon transfer to another school district. However, eligible students and/or their parents/guardians will generally be notified before these records are released. A written release must be signed to have any part of the school record sent outside the school. This includes, but is not limited to prospective employers, other schools, and colleges.

An eligible student and parent/guardian have the right to request to add relevant information to the student's record as well as the right to request removal of information believed to be untrue or incorrect.

Directory Information Notice

SWCEC has designated certain information contained in the education records of its students as directory information for purposes of the Family Educational Rights and Privacy Act (FERPA) and the Student Record Regulations at 603 CMR 23.00 et seq.

The following information regarding students is considered directory information: (1) name, (2) address, (3) telephone number, (4) date and place of birth, (5) major field of study, (6) participation in officially recognized activities and sports, (7) weight and height of members of athletic teams, (8) dates of attendance, (9) degrees, honors and awards received, (10) post high school plans of the student.

Directory information may be disclosed for any purpose at the discretion of SWCEC, without the consent of a parent of a student or an eligible student. Parents of students and eligible students have the right, however, to refuse to permit the designation of any or all of the above information as directory information; such refusal must be in writing and made annually. In that case, this information will not be disclosed except with the consent of a parent or student, or as otherwise allowed by FERPA and 603 CMR 23.00 et seq. You are hereby notified that pursuant to this notification, the school system will provide requested directory information to military recruiters unless the parent or eligible student specifically directs otherwise, as required by the Every Student Succeeds Act.

Any parent or student refusing to have any or all of the designated directory information disclosed must file written notification to this effect with the principal on or before the 16th day of each September. In the event that a refusal is not filed, it is assumed that neither a parent of a student or eligible student objects to the release of the directory information designated.

Amending Your Child's Record

1. A parent has the right to add information, comments, data, or any other relevant written material to the student's record. The parent should submit the additional information in writing to the principal with a written request that the information be added to the student record.
2. A parent has the right to request in writing deletion or correction of any information contained in

the student's record, except for information which was inserted into that record by the TEAM. Such information inserted by the TEAM shall not be subject to such a request until after the acceptance of the Individual Educational Plan (IEP), or, if the IEP is rejected, after the completion of the special education appeal process. Any deletion or amendment shall be made in accordance with the procedure described below:

(a) If a parent is of the opinion that adding information is not sufficient to explain, clarify or correct objectionable material in the student's record, the parent shall present the objection in writing and/or have the right to have a conference with the principal or his/her designee to make the objections known.

(b) The principal or his/her designee shall within one week after the conference or receipt of the objection, if no conference was requested, render to such parent a decision in writing, stating the reason or reasons for the decision. If the decision is in favor of the parent, the principal or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

(c) If the principal's decision is not satisfactory to the parent, the parent may file an appeal to the Executive Director. Such appeal shall be in writing and submitted to the Executive Director within five (5) business days of receipt of the principal's decision. The Executive Director shall render a written decision on the appeal within two (2) weeks of receipt of the written appeal.

(d) If the Executive Director's decision is not satisfactory to the parent, the parent may appeal to the School Committee by filing a written appeal within five (5) business days of receipt of the Executive Director's decision. The School Committee shall conduct a hearing as required on the appeal as required by 603 CMR §23.09(4).

Notice On Transfer To Other Schools

Pursuant to 603 CMR 23.07(g), notice is hereby given to parents and eligible students that the District forwards the complete school record of a transferring student to schools in which the student seeks or intends to enroll. Such transfer of records takes place without consent of the parent or eligible student.

Destruction of Records

1. Notice is hereby given that the temporary record of a student will be destroyed no later than one (1) years after that student transfers, graduates or withdraws from the school system. When the student transfers, graduates or withdraws from school, and if the eligible student or the parent/guardian want the temporary record, they must request, in writing, prior to the last day of school, that the documents be provided to them. No additional notice, other than this notice in the handbook, will be provided to the student or his parent/guardian of such destruction.

2. In addition, each year, the principal and/or teachers and/or other service providers may destroy the following documents that are considered part of the student's temporary record: disciplinary records (other than documentation of suspensions/expulsions/exclusions), any notes from the Parent/guardian or other documents concerning absences, early dismissals, late arrivals, as well as examples of student work. If the eligible student or the parent/guardian want those records, they must request, in writing, prior to the last day of school that the documents be provided to them, rather than be destroyed. No additional notice, other than this notice in the handbook, will be provided to the student or his parent/guardian of such destruction.

Display/Publication of Student Work

Notice is hereby given that there will be occasions when student work is seen and is on display within the school; for example, at open houses, exhibits, fairs, on bulletin boards, etc. Unless a parent/guardian informs the District in writing no later than September 16 of each school year, the District will assume that this publication/display of the student work is acceptable to the

parent/guardian.

Complaint Procedure

In addition to the appeal procedure, above, a parent/guardian/eligible student may file a complaint with the Family Policy Compliance Office (FPCO) of the federal Department of Education. The FPCO has the authority to interpret and decide issues involving student records under FERPA. FPCO's address is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue
Washington D.C. 20202-5920

The Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) guarantees rights relative to educational records. SWCEC's Student Records Policy, included in the program Policies and Procedures Manuals, and includes the rights of parents/guardians to:

- Inspect and review his/her child's educational records.
- Make copies of these records.
- Receive a list of the individuals having access to those records.
- Ask for an explanation of any item in the records.
- Ask for an amendment to any report on the grounds it is inaccurate, misleading, or violates the child's rights.
- Request a hearing on the issue if the program refuses to make the amendment.

SPECIAL EDUCATION OBSERVATION LAW

In accordance with Chapter 363 of the Acts of 2008, parents can participate fully and effectively with school personnel in the consideration and development of appropriate educational programs for their child. A school committee shall, upon request by a parent, provide timely access to parents and parent-designated independent evaluators and educational consultants for observations of a child's current program and of any program proposed for the child, including both academic and non-academic components of any such program. Parents and their designees shall be afforded access of sufficient duration and extent to enable them to evaluate a child's performance in a current program and the ability of a proposed program to enable such child to make effective progress. School committees shall impose no conditions or restrictions on such observations except those necessary to ensure the safety of children in a program or the integrity of the program while under observation or to protect children in the program from disclosure by an observer of confidential and personally identifiable information in the event such information is obtained in the course of an observation by a parent or a designee.

Appendix

MASSACHUSETTS ANTI-HAZING LAW

Chapter 269: Section 17. Hazing; organizing or participating; hazing defined

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

The term “hazing” as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Chapter 269: Section 18. Failure to report hazing

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

Section 19 of the Massachusetts General Laws, chapter 19 requires this anti-hazing law be distributed to all students and to all members of student groups, student Teams, and student organizations. Those who participate in and/or organize hazing shall be disciplined.

Chapter 269: Section 19. Copy of Secs. 17 to 19; issuance to students and student groups, Teams and organizations; report

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

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

group, Team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

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

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

PHYSICAL RESTRAINT POLICY GUIDELINES

It is the policy of the Collaborative that physical restraint shall be used only in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate and with extreme caution.

- Physical restraint may only be used in the following circumstances:
 - When non-physical interventions would be ineffective; and
 - The student's behavior poses a threat of assault or imminent, serious, harm to self and/or others.
- Physical restraint is prohibited in the following circumstances:
 - As a means of discipline or punishment;
 - When the student cannot be safety restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
 - As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm. However, if the property destruction or the refusal to comply with a school rule or staff directive could escalate into, or could itself lead to serious, imminent harm to the student or to others, physical restraint is appropriate;
 - As a standard response for any student. No written individual behavior plan or IEP may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.
- Only school personnel who have received required training or in-depth training pursuant to this policy shall administer physical restraint on students with, whenever possible, one adult witness who does not participate in the restraint. The training requirements, however, shall not preclude a teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

- Physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or others from assault or imminent, serious, physical harm.
- A person administering physical restraint shall use the safest method available and appropriate to the situation. Floor restraints may only be administered by a staff member who has received in-depth training as specified in this policy and, when in the judgment of the trained staff member, such method is required to provide safety for the student or others.
- Physical restraint shall be discontinued immediately upon the determination that the student is no longer at risk of causing imminent, serious physical harm to self or others.
- Additional safety requirements:
 - Restrained student shall not be prevented from breathing or speaking. A staff member will continuously monitor the physical status of the student, including skin temperature and color and respiration, during the restraint.
 - If at any time during a physical restraint the student demonstrates significant physical distress, including but not limited to, difficulty breathing, as determined by the staff member, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
 - Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- At an appropriate time after release of a student from physical restraint, a school administrator or other appropriate school staff shall:
 - Review the incident with the student to address the behavior that precipitated the restraint.
 - Review the incident with the staff person(s) who administered the restraint- to discuss whether proper restraint procedures were followed.
- Consider whether any follow-up is appropriate for students who witnessed the incident.
- The staff member who administered such a restraint shall verbally inform the principal of the restraint as soon as possible and by written report no later than the next school working day.
- The principal or designee shall verbally inform the student's parent(s)/guardian(s) of such restraint as soon as possible but no later than 24 hours after the event, and by written report postmarked no later than three school working days following the use of restraint. The principal or designee shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.
- Written reports will be completed within one school working day of the restraint and reviewed by the principal. They will be sent to parent/guardian within three school working days. The written report will indicate the date signed by the principal and the date sent to parent/guardian. The postmark date on the letter will be logged in the restraint reporting log. This log is maintained by the principal or designee.
- Restraints may be administered to a student with a disability pursuant to the student's Individualized Education Program or other written and agreed upon plan developed in accordance with state and federal law, subject to the following exceptions:
 - The limitations on chemical, mechanical, and seclusion restraint as stated above shall apply; and
 - The training and reporting requirements described in this policy shall apply.

USE OF PHYSICAL RESTRAINT

Training regarding SWCEC's restraint policy occurs at the start of each school year; for staff hired after the school year begins, such training is provided within a month. Training includes information on the following:

- SWCEC's restraint policy;
- Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors;
- Types of restraints and related safety considerations;
- Physical escort: a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is agitated to walk to a safe location
- Physical restraint: direct physical contact that prevents or significantly restricts a student's freedom of movement Prohibitions: The use of mechanical restraint, medication restraint, and seclusion are prohibited in public education programs.
 - *Mechanical Restraint:* The use of any device or equipment to restrict a student's freedom of movement The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
 - *Seclusion:* Shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented, or reasonably believes he or she will be prevented, from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02. The use of "time out" procedures during which a staff member remains accessible to the student will not be considered "seclusion."
 - *Medication restraint:* The administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not a medication restraint. This is not in use for SWCEC students but in case entering students have experienced this type of procedure, staff need to be aware of it.

Seclusion restraint is defined (by the DESE and for the purposes of SWCEC's behavioral management guidelines), as physically confining a student alone in a room or limited space without access to school staff. The use of seclusion restraint is prohibited in public education programs, and SWCEC does not use seclusion restraint. The use of "time out" procedures, however, during which a staff member remains accessible to the student, is not considered "seclusion restraint". According to the DESE, access is from the point of view of the student. The student has to have knowledge that someone is there. Thus, the student must be able to see a staff member at all times, from any point in the room. For example:

- A severely cognitively impaired child should not have the door closed.
- A blind or hearing impaired child should not be left alone in the time out room.

STUDENT SEPARATION

- All SWCEC staff working directly with students have the authority and training to implement student separation from their group or activity. However, any intervention that results in a student being involuntarily separated from their group or activity for more than thirty minutes must be approved by the Program Director or Building Principal and must be documented by an Incident Report.
- Students who are involuntarily separated from their group or activity will be observed at all times and must have at least one staff member accessible to them at all times.
- Documentation must be completed regarding students who are involuntary separated from their group or activity in an alternate space where their ability to leave the space is restricted that includes, at a minimum, length of time, reason for the intervention, who approved the separation. SWCEC maintains a Safe Space log that contains information covering these minimum requirements; however, additional documentation may be required (see Critical Incident documentation procedures).
- Safe Spaces are never locked. Any room or space used for separation must be physically safe and appropriate to the student population. SWCEC students are always allowed to separate themselves voluntarily from their group or activity provided their separation does not result in safety concerns. In fact, students are encouraged to request a break when appropriate to assist in problem solving or seeking support. These breaks are not viewed as punitive, take place in an identified area of the classroom and are supervised directly by a licensed professional or a paraprofessional under the direction of a licensed professional.

Utilizing physical restraint is always conducted in accordance with known medical or psychological limitations applicable to each individual student. SWCEC programs do not employ any forms of mechanical, seclusion, or chemical restraint. Some students, under specific circumstances that are approved by a physician and parents or guardians in writing, are administered PRN medications on a voluntary basis to aid in behavior regulation (see Medical Policy). No SWCEC student is ever forcibly given medication as a means of controlling behavior.

Members of the SWCEC Administration are designated to serve as a resource to assist in ensuring proper administration of physical restraint. The Restraint Trainers are responsible for providing in-depth training in the proper administration of physical restraint, including:

- Appropriate procedures for preventing the need for physical restraint, including de-escalation of problematic behavior, relationship building, and the use of alternatives to restraint;
- A description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress, and obtaining medical assistance;
- Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
- Demonstration by participants of proficiency in administering physical restraint.

Proper Administration of Physical Restraint

- Only school personnel who have received in-depth training will administer physical restraint with students. Whenever possible, the administration of a restraint will be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603

CMR 46.00 does not preclude a teacher, employee, or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

- Staff administering a physical restraint will use only the amount of force necessary to protect the student or others from physical injury or harm.
- Staff administering physical restraint will use the safest method available and appropriate to the situation.
- Staff administering physical restraint will discontinue such restraint as soon as possible. If, due to unusual circumstances, a restraint continues for more than twenty (20) minutes, it will be considered an "extended restraint" for purposes of the reporting requirements.
- Additional requirements for the use of physical restraint:
 - No restraint will be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member will continuously monitor the physical status of the student, including skin temperature and color and respiration. A restraint will be released immediately upon a determination by the staff member administering the restraint that the student is no longer at risk of causing imminent physical harm to him or herself or others.
 - Restraint will be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student demonstrates significant physical distress, the student will be released from the restraint immediately, and staff will take steps to seek medical assistance.
 - If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint and need for continued restraint.
 - Staff will review and consider any known medical or psychological limitations, known or suspected trauma history and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
 - Following the release of a student from a restraint, the staff will implement follow-up procedures. These procedures include reviewing the incident with the student to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether any follow-up is appropriate for students who witnessed the incident.

Restraint Notification and Documentation Procedure

- If a SWCEC student is restrained, the SWCEC Director or designee must be notified at the time of the restraint as well as the parent.
- Following any restraint, the student involved must be offered the opportunity to complete a Grievance form. Any comment or communication regarding the restraint made by the student must be documented and attached to the Restraint Report.
- If not already informed, staff will notify the student's SWCEC Director or designee immediately following the restraint.
- The staff member who administered the restraint will verbally inform the SWCEC Director or designee of the restraint as soon as possible and by written report no later than the next school day.
- SWCEC's Restraint procedures require the Collaborative to maintain an on-going record of all

reported instances of physical restraint, which will be made available for review by the Department of Elementary and Secondary upon request.

- All incidents of restraint must be documented using both the Behavior Incident Report form. The Behavior Incident Report must be submitted to the SWCEC Director or designee within 24 hours of the incident.
- Notification to Parents: The principal or his/her designee shall make reasonable efforts to verbally inform the student's parents within 24 hours of the event and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. Restraint Report mailings will be completed by the SWCEC Director or designee. If written communication is customarily provided to a parent or guardian in a language other than English, the written restraint report will be provided to the parent or guardian in that language.
- The written report will include:
 - The names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the administrator who was verbally informed following the restraint, and as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes.
 - A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
 - A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
 - Information regarding opportunities for the student's parents or guardians to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student and/or any other related matter.

The principal shall conduct a monthly review of school-wide restraint data per 603 CMR 46.06. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

SWCEC will report all physical restraints to the Department on an annual basis as directed by the Department. In addition, SWCEC will report to the Department any restraint-related injury to students or staff within 3 school working days of the administration of the restraint.

POLICY I-C DISCRIMINATION/HARASSMENT

ACAB: Harassment

Harassment of students by other students, employees, vendors, and other 3rd parties will not be tolerated in the Southern Worcester County Educational Collaborative. The alleged harassment must involve conduct that occurred within the school's own program or activity, such as whether the harassment occurred at a location or under circumstances where the school owned, or substantially controlled the premises, exercised oversight, supervision or discipline over the location or participants, or funded, sponsored, promoted or endorsed the event where the alleged harassment occurred, against a person in the United States. This policy is in effect while students are on school grounds, Collaborative property, or property within the jurisdiction of the Collaborative, school buses, or attending or engaging in school sponsored activities.

Harassment prohibited by the Collaborative includes, but is not limited to, harassment on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status, or disability. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion pursuant to disciplinary codes. Employees who have been found to violate this policy will be subject to discipline up to and including, termination of employment, subject to contractual disciplinary obligations.

Employee-to-Student Harassment means conduct of a written, verbal, or physical nature that is designed to embarrass, distress, agitate, disturb, or trouble students when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities; or
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student.

Student- to-Student Harassment means conduct of a written, verbal, or physical nature that is designed to embarrass, distress, agitate, disturb, or trouble students, when:

- Such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as described above may include, but is not limited to:

- Written, verbal, or physical (including texting, blogging, or other technological methods) harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter.
- Demeaning jokes, stories, or activities directed at the student.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. Individuals should consider how their words and actions might reasonably be viewed by others.

The Collaborative will promptly and reasonably investigate allegations of harassment through designation of Title IX Coordinator or building based employees, who may include principals or

their designees. The Executive Director will recommend, in consultation with the principals, opportunities to the designated recipients for appropriate training.

Sexual harassment is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity it also, includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances-whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons; Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

Because the Collaborative takes allegations of harassment, including sexual harassment, seriously, we

will respond promptly to complaints of harassment including sexual harassment, and following an investigation where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting an environment that is free of harassment including sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment or sexual harassment.

Retaliation against a complainant, because they have filed a harassment or sexual harassment complaint or assisted or participated in a harassment or sexual harassment investigation or proceeding, is also prohibited. A student or employee who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion or employee termination.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

NOTICE OF SEXUAL HARASSMENT

The regulations require a school district to respond when the district has actual notice of sexual harassment. School districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

The regulation highlights the importance of supportive measures designed to preserve or restore access to the school's education program or activity, with or without a formal complaint. Where there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

DUE PROCESS PROTECTIONS

Due process protections include the following:

- 1) A presumption of innocence throughout the grievance process, with the burden of proof on the school;
- 2) A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;
- 3) The clear and convincing evidence or preponderance of the evidence, subject to limitations;
- 4) The opportunity to test the credibility of parties and witnesses through cross examination, subject to "rape shield" protections;

- 5) Written notice of allegations and an equal opportunity to review the evidence;
- 6) Title IX Coordinators , investigators, and decision-makers must be free from bias or conflict of interest;
- 7) Equal opportunity for parties to appeal, where schools offer appeals;
- 8) Upon filing a formal complaint the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K-12 schools a hearing is optional but the parties must be allowed to submit written questions to challenge each other's credibility before the decision-maker makes a determination. After the investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying either the preponderance of the evidence or the clear and convincing standard; however, a school can use the lower preponderance standards only if it uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a sexual complaint.

A district may establish an informal investigation process that may, upon the request of the complainant be followed by a formal process.

The Executive Director in consultation with the Title IX Coordinator shall designate the principal of each school in the Collaborative, or their designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the district shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

RECORD KEEPING REQUIREMENTS

Schools must create and maintain records documenting every Title IX sexual harassment complaint. This could include mediation, restorative justice, or other models of alternative dispute resolution. Schools must keep records regarding the school's response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements shall be distributed by the Southern Worcester Educational Collaborative to its students and employees and each parent or

guardian shall sign that they have received and understand the policy.

Southern Worcester County Educational Collaborative Title IX Coordinator: Director of Special Services.

List the appropriate party by name and phone number to receive a complaint in each School:

- Grow Elementary School: Building Principal (508) 764-8500 x2201
- Grow Middle/High School: Building Principal (508) 764-8500 x1141
- SWCEC Developmental Programs: Director of Special Services, (508) 764- 8500 x1144

Please note that the following entities have specified time limits for filing a claim. The Complainant may also file a complaint with:

- The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601
Boston, MA 02108.
Phone: 617-994-6000.
- Office for Civil Rights (U.S. Department of Education) 5 Post
Office Square, 8th Floor
Boston, MA 02109.
Phone: 617-289-0111.
- The United States Equal Employment Opportunity Commission, John
F. Kennedy Bldg.
475 Government Center
Boston, MA 02203.

LEGAL REF.: M.G.L. [151B:3A](#)

Title IX of the Education Amendments of 1972 BESE 603 CMR 26:00

34 CFR 106.44 (a), (a)-(b)

34 CFR 106.45 (a)-(b) (1)

34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

Note: A summary of the attached Policy, as adopted, must be sent to parents/guardians, students, employees, unions, and prospective employees of the collaborative including Title IX Coordinator(s), investigator(s) and the decision-maker. The above referenced employees must attend training sessions on the implementation of the Policy.

SOURCE: MASC July 2020