

# **Central MA Collaborative**

## **Student Policies Handbook**

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**2023-2024**

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## **DISCLAIMER**

Central Massachusetts Collaborative reserves the right to make necessary changes in the student handbook.

# INTRODUCTION

The Central Massachusetts Collaborative (CMC), an approved public school, was founded in 1975 by its member districts, Webster Public Schools and Worcester Public Schools. Oxford Public Schools became a member district in 2020.

CMC is governed by a Board of Directors who ensure that its purpose of providing educational, clinical, and therapeutic services to children in grades Kindergarten through 12, of public school districts in Central Massachusetts is upheld.

CMC provides a quality education to children in need of specialized services while maintaining cost-effective solutions to public school districts. We employ more than 220 full-time dedicated employees and serve over 500 students, from both member and nonmember districts.

CMC strives to build capacity to support all students by developing programs to complement and strengthen the needs of our member districts, thereby enhancing and increasing educational opportunities for all students.

Ongoing civic partnerships further foster students' understanding of the role they have as equal and dynamic citizens. Our practices are consistent with our overall mission of increasing students' self-determination, independence, and academic achievement.

## BOARD OF DIRECTORS:

Michael Lucas, Superintendent of Oxford Public Schools

**[mlucas@oxps.org](mailto:mlucas@oxps.org)**

508-987-6050 x1111

Monique Pierangeli, Superintendent of Webster Public Schools

**[mpierangeli@webster-schools.org](mailto:mpierangeli@webster-schools.org)**

508-943-0104 x11

Rachel Monárrez, Superintendent of Worcester Public Schools, Chairperson

**[monarrezr@worcesterschools.net](mailto:monarrezr@worcesterschools.net)**

508-799-3115

## PROGRAM CONTACTS

<b>Central MA Academy</b> 121 Higgins Street Worcester, MA 01606 Tel: 508-538-9109 Fax: 508-852-5375	Director: Evelyn Marrone emarrone@cmasscollaborative.org  Student Hours: 9:10 AM to 3:30 PM	Grades 7-12
<b>Central MA Prep</b> 14 New Bond Street Worcester, MA 01606 Tel: 508-538-9103 Fax: 508-854-1347	Director: Daniel Smachetti dsmachetti@cmasscollaborative.org  Student Hours: 9:10 AM to 3:30 PM	Grades 6-8
<b>Hartwell Learning Center</b> 14 New Bond Street Worcester, MA 01606 Tel: 508-538-9104 Fax: 508-854-1348	Director: Daniel Smachetti dsmachetti@cmasscollaborative.org  Student Hours: 9:10 AM to 3:30 PM	Grades K-6
<b>Recovery High School</b> 121 Higgins Street Worcester, MA 01606 Tel: 508-538-9108 Fax: 508-854-1348	Director: Evelyn Marrone emarrone@cmasscollaborative.org  Student Hours: 9:10 AM to 3:30 PM	Grades 9-12
<b>Robert Goddard Academy</b> 14 New Bond Street Worcester, MA 01606 Tel: 508-538-9101 Fax: 508-854-1346	Director: Michael Kelly mkelly@cmasscollaborative.org  Student Hours: 9:10 AM to 3:30 PM	Grades 9-12+
<b>THRIVE</b> 14 New Bond Street Worcester, MA 01606 Tel: 508-538-9105 Fax: 508-854-1348	Director: Michael Kelly mkelly@cmasscollaborative.org  Student Hours: 9:10 AM to 3:30 PM	Grades K-12+
<b>Woodward Day Schools</b> 20 Rockdale Street Worcester, MA 01606 Tel: 508-538-9108 Fax: 508-854-4973	Director: Evelyn Marrone emarrone@cmasscollaborative.org  Student Hours: 9:10 AM to 3:30 PM	Grades 7-12
<b>Central Administration</b> 14 New Bond Street Worcester, MA 01606 Tel: 508-538-9100 Fax: 508-854-1689	Executive Director: Susan Farrell sfarrell@cmasscollaborative.org Director of Finance and Operations: Beverly Tefft btefft@cmasscollaborative.org Director of Special Education: Tammy Murray tmurray@cmasscollaborative.org Manager of Vocational Services: Paul Barry pbarry@cmasscollaborative.org	

# REGISTRATION

## 1. STUDENT ADMISSION

New students for a Central Massachusetts Collaborative (CMC) program are referred by the student's home school district. Each program at CMC follows the same referral/in-take protocol.

### REFERRAL PROCESS

1. The sending school district will contact the CMC Intake Coordinator and will submit a packet including pertinent information about the prospective student.
2. The Intake Coordinator will analyze the information provided and schedule an interview with the student; the interview may occur at his/her current placement (when applicable). If the student's needs can be met at the CMC, the Intake Coordinator will notify the sending district of acceptance to CMC. A registration packet will be provided to the district at this time.
3. Upon receipt of a completed registration packet, with all documents necessary for enrollment an intake meeting and start date will be established. The parents/guardian may request to tour the proposed program prior to accepting the placement and registration.
4. At the intake meeting, the Director of the proposed program will meet with the parent and student to discuss the school rules, regulations, and expectations and provide a tour if not previously provided. At this time, the student handbook will be given to the student and parents/guardians. (Parents/guardians may request a copy of CMC's policies and procedures in advance, or at any time).

### ENROLLMENT PROCESS

In order to properly enroll a student at any of the CMC programs, the following documentation must be provided by the sending school district and/or parent/guardian:

- Signed IEP and placement page, upon acceptance
- Signed Extended Evaluation Consent Form and N1, if applicable upon acceptance
- Transcripts and current/most recent academic grades
- State testing results MCAS / PARCC scores
- Home Language Survey
- Assessments for ELL students (ACCESS), if applicable
- Most recent educational evaluations, if applicable
- Attendance records, updated
- Discipline records, updated
- Birth certificate (if applicable)
- Record of last physical exam
- Immunization records (The requirement for school immunization records may be temporarily waived for students who qualify as homeless under the McKinney Vento Homeless Act.)

## 2. STATE IMMUNIZATION CHART

Hepatitis B	3 doses	3 doses	3 doses
DTaP/DTP/ DT/Td	5 doses DTaP/DTP	>4 doses DTap/DTP or >3 doses Td	4 doses or >3 doses Td plus 1Td booster if more than 5 years since last DTP
Polio	4 doses	>3 doses	>3 doses
MMR	2 doses measles, 1 mumps, 1 rubella	2 doses measles, 1 mumps, 1 rubella	2 doses measles, 1 mumps, 1 rubella
Varicella	1 dose	1 dose	<13 yrs – 1 dose >13 yrs – 2 doses
Meningococcal	-	-	1 dose for all new students (residential schools only)

## 3. HOME/SCHOOL COMMUNICATION

Home/school communication is a vital component of school success. Forms of communication may include newsletters, email messages, automated telephone messages, websites, and parent nights. The Executive Director will alert parents through email or an automated phone message using contact information listed on the student's emergency card. If contact information changes, please contact your child's school office.

### GUIDELINES FOR POSITIVE HOME/SCHOOL COMMUNICATION

#### **If a problem occurs:**

1. Start with the staff member most directly involved (e.g. teacher).
2. The clinicians at CMC are a resource for support in resolving concerns at any step of the process.

#### **For effective communication, keep in mind:**

1. Define your concerns clearly.
2. Express your concerns in a respectful manner.
3. Listen to what the other party has to say without interrupting.
4. Remain open-minded about what the other party has to say.
5. Remember what problem you are trying to solve and remember your goal.
6. Remember that both parties may need a chance to voice their feelings.

# INSTRUCTIONAL POLICIES

## 1. STATE AND DISTRICT-WIDE ASSESSMENT

In compliance with the special education law 603 CMR 28.09, all students enrolled in programs under the CMC domain participate in state assessment programs in accordance with the information provided on the student's IEP. In addition, students at CMC will receive testing accommodations and/or alternate assessments as determined by the team and as it is outlined in the student's IEP.

CMC's programs are aligned with the Massachusetts Curriculum Frameworks. The Massachusetts Curriculum Frameworks were used to guide, revise curriculum and help prepare students at CMC for state testing (i.e. Massachusetts Comprehensive Assessment System, MCAS).

### **MCAS (Massachusetts Comprehensive Assessment System)**

All students enrolled in CMC's programs will participate in the MCAS tests in the Fall (Re-tests) and Spring of each year.

Grade 3	ELA Reading Comprehension, Math
Grade 4	ELA Reading Comprehension, ELA Long Composition, Math
Grade 5	ELA Reading Comprehension, Math, Science and Technology/Engineering
Grade 6	ELA Reading Comprehension, Math
Grade 7	ELA Reading Comprehension, Math, ELA Long Composition
Grade 8	ELA Reading Comprehension, Math, Science & Technology/Engineering
High School	Students in grades 9 through 12 taking a high school science course in biology, chemistry, introductory physics, or technology/engineering must take the appropriate test.
Grade 10	ELA Reading Comprehension, ELA Long Composition, Math, Biology

More information about MCAS and the testing schedule for the school year can be found at the Department of Elementary and Secondary Education's Website located at:  
<http://www.doe.mass.edu/mcas/>

## ACCESS for ELLs Test

All English Language Learner students enrolled in CMC's programs participate in ACCESS testing. More information about ACCESS testing and the schedule for the school year can be found at the Department of Elementary and Secondary Education's Website located at:  
<http://www.doe.mass.edu/mcas/access/>

Kindergarten	Listening, Speaking, Writing, Reading	1	45 minutes (individually administered)
1 – 12	Listening	1	25 minutes
1 – 12	Reading	1	35 minutes
1 – 12	Writing	1	35-65 minutes (depending on the student's English proficiency)
1 – 12	Speaking	1	15 minutes

## 2. LIMITED ENGLISH PROFICIENCY (LEP) SERVICES

CMC follows DESE's suggested guidelines to support English Language Learners (ELL). All programs under the CMC domain are developed as small learning settings with low student/teacher ratio. The small learning settings are favorable to the language acquisition and learning process of all ELL students enrolled at each individual program. ELL students are immersed in regularly scheduled classes and receive additional support as needed. In addition, 1:1 instruction or ESL support services may be available depending upon the student's specific language needs. In such instances, the CMC will follow the ESL support schedule prescribed in the student's IEP.

### Identification:

Sending school districts generally identify students as English Language Learners based on multiple assessments, and may include:

1. a home language survey completed by the parent or guardian of the student when they enter the district
2. an oral test to measure the student's understanding of English when listening or speaking
3. a test of the student's writing and reading levels for 3rd graders and higher (i.e. Language Assessment Scale: LAS)
4. a writing sample in the student's native language if the student is in the 3rd grade or higher.

If a student is already placed at any CMC program, the Director of that program will work closely with the referring school district to facilitate the identification process.

### Program Evaluation Procedures and Outcomes

CMC is committed to providing educational services to ELL students to improve their language acquisition. CMC adopted an evaluation procedure which includes using the results from Massachusetts English Proficiency Assessment (MEPA), Massachusetts English Language Assessment-Oral (MELA-O), MCAS, student portfolios, and formal/informal assessments. The data collected guides teachers and administrators with reviewing and revising EL programs to best meet individual student needs.

In addition, the teaching staff at CMC are required to be SEI endorsed. The SEI endorsement provides teachers with specialized strategies and classroom techniques in sheltered content instruction that will enhance ELL student's learning, language acquisition, and classroom performance.

**Student Performance Data:**

CMC will work with public school districts to follow guidelines for monitoring and assessing English language learner students. CMC will monitor ELL student's language development and progress through Assessing Comprehension and Communication in English State-to-State, ACCESS for ELL's Test, MCAS scores, teacher observations, informal assessments, and parents/guardians input.

**Transition and Termination of ELL Services:**

Decisions regarding student transition and/or termination of ELL services are made annually. The student's team reviews the student's performance data and determines whether the ELL student is adequately prepared to be successful in a classroom with no ELL services. If the team decides that the ELL student is ready to transition, he/she will continue to be monitored for the next two years after the transition to assure successful academic progress.

### **3. PROMOTION POLICY**

The Director is the final authority in promotion at the building level and for good cause may override the passing of promotional subject requirements. In all such cases, the director must file a statement with the Executive Director stating the reason(s) for such promotion(s) and the steps that will be taken to provide the necessary remediation at the next level.

Elementary (K-6) - Promotional Subjects

- English Language Arts: (Reading, Language, and Writing)
- Mathematics
- Science
- Social Studies

Students are expected to meet all subject area requirements and must show considerable progress toward attaining their IEP goals and benchmarks.

Middle School (7 & 8) - Promotional Subjects

Core Academic Courses (full year)

- English Language Arts
- Mathematics
- Science and Technology/Engineering
- History and Social Sciences

All middle school students participate in physical education as required by state law (M.G.L. Chapter 71, Section 3). For students to pass from grade 7 to 8 and from grade 8 to 9, they must pass all assigned core academic courses and show considerable progress toward attaining their IEP goals and benchmarks.

High School (9 – 12)

CMC adopts the course selection criteria established by our member districts (Worcester, Webster, and Oxford Public Schools). In the event that a student from a non-member school district requires a different credit/course selection, the student's specific needs will be discussed with the program Director during the intake meeting.

The Massachusetts Education Reform Law of 1993, state law, G.L. c. 69, § 1D, requires that all students who are seeking to earn a high school diploma, including students educated at public expense in educational collaboratives and approved and unapproved private special education schools within and outside the state, must meet the Competency Determination (CD) standard, in addition to meeting all local graduation requirements.

More information can be found at <http://www.doe.mass.edu/mcas/graduation.html>.

Because of the transition to the next generation Massachusetts Comprehensive Assessment System (MCAS) tests in spring of 2019, requirements for the classes of 2021-2023 reflect an interim passing standard for ELA and Mathematics defining a level of achievement on the new tests that is similar to the standard on the legacy tests. Students in the graduating classes of 2021-23 will need to satisfy one of the following two conditions in both English Language Arts and Mathematics to earn a competency determination.

1. Meet or exceed the scaled score threshold of 472 on the English Language Arts grade 10 MCAS test and 486 on the Mathematics grade 10 MCAS test
2. Earn a scaled score between 455 and 471 on the English Language Arts grade 10 MCAS test or earn a score between 469 and 485 on the Mathematics grade 10 MCAS test and fulfill the requirements of an Educational Proficiency Plan (EPP)

To meet graduation requirements, all students must:

1. Meet one of the above criteria for competency determination
2. Receive a passing score of 220 on a science section of the MCAS in one of the following: Biology, Chemistry, Engineering/Technology or Physics
3. Earn twenty-four (24) credits (Courses required are determined by the sending district)

#### **4. PARENTAL NOTIFICATION OF SEXUALITY EDUCATION**

In accordance with General Laws Chapter 71, Section 32A, CMC has adopted the following policy relating to the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

At the beginning of the course, the program will inform parents/guardians, in writing, about the curriculum that primarily involves human sexual education or human sexuality issues. This notice will include the topics covered in the course as well as the course requirements, expectations, and methods of assessment. Parents/guardians will be required to sign the notice and return it to their child's teacher as part of that course's requirements.

Each written notice sent to parents/guardians will include a brief description of the curriculum covered by this policy and will inform parents/guardians that they may:

1. Exempt their child from any portion of the curriculum that primarily involves human sexuality issues, without penalty to the student's grades or academic standing. The parent/guardian should specify the course, class or school activity from which the child is to be exempted. Students who are exempted from that portion of the curriculum specifically involving human sexual education or human sexuality issues will be assigned related course work and material to occupy the exempted curricular time. Students will be responsible for course materials and performance criteria as determined by state-mandated assessments.

2. To the extent practicable, program instruction materials of said curricula will be made reasonably accessible to parents, guardians, educators, program administrators, and others for inspection and review. If the school's curriculum changes, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before changes are implemented.

## **5. ACADEMIC DISHONESTY**

Cheating, plagiarism, and forgery are considered to be academic dishonesty. A failing grade of zero (0) will be recorded for any work containing any information improperly submitted as one's own, or completed by means of academic dishonesty or deception, including information obtained from the internet and not properly cited. In addition, violation of this policy may result in suspension under Rule two (2) of the Code of Conduct.

## **6. AWARD OF HIGH SCHOOL DIPLOMAS**

Under the special education law, a student with a disability who requires special education is entitled to receive special education services until he/she turns twenty-two or attains a high school diploma whichever comes first.

1. At least one year in advance of the probable graduation date, a Team meeting will be convened to review the IEP. At this meeting, CMC will indicate to parents/guardians and the sending school district whether the student is expected to meet school graduation standards.
2. If the student completes all graduation requirements and meets the state MCAS competency determination standards, a diploma will be awarded by the CMC program from which the student graduated. Upon request, the student is entitled to receive a diploma from the sending school district indicating that the student met state and local graduation standards under the auspices of the school district.
3. If a student does not complete all graduation requirements described above, he/she will receive a certificate in which the student is recognized for their achievement, attendance, course completion, or participation. Such a student is entitled to continue receiving publicly funded special education services as long as the student continues to meet the eligibility criteria for such services.

# **SPECIAL EDUCATION POLICIES**

## **1. IEP PROGRESS REPORTS**

Parents of all students enrolled at the CMC programs will receive written progress reports on a quarterly basis in accordance with Special Education law 603 CMR 28.07(3). These reports will indicate student's progress toward the annual goals in the IEP. In addition, parents should expect written mid-term reviews of their child's progress. Progress reports will be sent to parents/guardians, school districts, and involved agencies.

## **2. PARTICIPATION IN TEAM MEETINGS**

CMC programs and the student's sending district schedule regular team meetings to review and/or revision of the student's IEP. Team meetings shall be composed of, but are not limited to, parents, guardians, students (when applicable), school representative(s), sending school district chairperson or designee, support personnel (when applicable), and support agencies (when applicable).

### **3. UNSIGNED IEP**

In the event that a parent/guardian refuses to sign the proposed IEP, and after all mediation attempts to resolve the issue have been exhausted, the school district accountable for the programmatic aspect of the IEP is responsible to file a petition with the Bureau of Special Education Appeal to resolve the issue.

### **4. LEAST RESTRICTIVE PLACEMENT**

Students are referred and accepted at the CMC programs as a result of a team meeting and evaluation process. Students currently enrolled at the CMC programs are receiving educational and support services to guide them toward the attainment of the specific goals outlined in their IEPs. Team decisions are guided by the student's rights to be educated in the least restrictive environment. As the student demonstrates progress toward achieving his/her particular IEP goals, the team may discuss possible opportunities for the individual student to return to a less restrictive educational setting. Such opportunities may include but are not limited to, participation in sending school's sports teams, participation in extracurricular activities at the sending school, community service programs, and part-time attendance at a less restrictive setting as part of the reintegration process.

### **5. STUDENT TRANSITION AND AGE OF MAJORITY LAW**

#### **STUDENT TRANSITION**

In compliance with the Student Transitional Planning and Student Transitional Services regulations, the CMC programs shall schedule, at appropriate times, IEP team meetings to address student's individual needs regarding transitional planning and services. Beginning with the IEP for students who are reaching the age of 14, the program director, in coordination with the sending school district, shall schedule a team meeting to discuss the student's transitional needs. The team will identify when appropriate, services related to training, post-secondary education, employment, and independent living skills. The team should also identify the need for continuing services from adult human services agencies if the student is approaching graduation or the age of twenty-two.

#### **AGE OF MAJORITY**

Special Education regulations mandate that school districts inform parents and students that as of age 18 (in MA), decision-making rights in relation to special education programs and services will transfer to the student. CMC will work with the sending school district, the student, and his/her family during the discussion and fulfillment of this requirement.

## **CODE OF CONDUCT**

### **1. MGL POLICIES**

Pursuant to the Massachusetts General Laws, the CMC develops and implements the following code of conduct for students and teachers.

**Tobacco Use:** In accordance with Massachusetts General laws Chapter 71, §2A, an Act Prohibiting the Use of Tobacco in Public Schools, no student may use tobacco products of any type on school premises, on school buses, or at any school sponsored activity. This rule applies to cigarettes, cigars, chewing tobacco, snuff and/or any other smokeless tobacco products. Violation of this policy may result in disciplinary action including mandatory education classes on the hazards of tobacco use, suspension or expulsion.

**Weapons/Controlled Substances:** Any student who is found on school premises, on a school bus, or at a school-sponsored or school-related event, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or of a controlled substance as defined in Massachusetts General Laws Chapter 94C, including but not limited to marijuana, cocaine and heroin, may be subject to disciplinary action up to and including expulsion from CMC. M.G.L. c.71, §37H. Students are also advised that pursuant to Massachusetts General Laws Chapter 269, Section 10, anyone other than a law enforcement officer carrying a firearm on his/her person in any building or on the grounds of any elementary or secondary school is subject to a fine of not more than \$1,000, or imprisonment for not more than one year, or both.

**Assault on Educational Staff:** Any student who assaults a director, assistant director, teacher, instructional assistant or other educational staff on school premises or at school-sponsored or school-related events may be subject to disciplinary action up to and including expulsion from CMC. M.G.L. c. 71, §37H.

**Felony Charges or Convictions:** In accordance with M.G.L. c. 71 §37H 1/2, CMC may suspend students charged with a felony and expel students convicted or adjudicated of committing a felony if CMC determines the student's continued presence would have a substantial detrimental effect on the general welfare of the program.

**Anti-hazing Law (G.L. c. 269, § § 17-19) Section 17:** Massachusetts General Law Chapter 269, Sections 17-19 makes it a crime to participate in organized hazing and provides for a punishment of a fine, imprisonment or both. CMC will abide by and support the anti-hazing law.

The term "hazing" as used in this section, 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. Consent shall not be available as a defense to any prosecution under this section.

In accordance with the laws of the State of Massachusetts, CMC hereby deems that no student, employee or school organization under the control of CMC shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of CMC shall engage in the activity of hazing any person while on school property.

Any student who observes what appears to them to be the activity of hazing another student or person should report such information to their Program Director including the time, date, location, names of identifiable participants and the types of behavior exhibited. Students and employees of CMC are obligated by law to report incidents of hazing to the police department.

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by CMC against that student.

Any student found to have organized or participated in the hazing of another student or other person will be subject to disciplinary action. In all cases relating to hazing, students will receive procedural due process.

HAZING IS A CRIMINAL OFFENSE (See copies of statutes M.G.L. c. 269 §§17-19 attached).

**Act Relative to Bullying in Schools:** Massachusetts General Laws Chapter 71, §37O prohibits bullying and retaliation in all public and private schools, and requires schools and school districts to take certain steps to address bullying incidents.

CMC's Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying, cyberbullying and retaliation that may compromise the safe learning environment for any student. CMC is committed to working with students, staff, families, law enforcement agencies, and the community to address and prevent bullying and harassment within our schools. In consultation with these constituencies, we have established a Bullying Prevention and Intervention Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. (A copy of CMC's Bullying Prevention and Intervention Plan, together with the Bullying Prevention and Intervention Incident Reporting Form, is attached and is also available at your child's school and on the CMC home page, [www.cmasscollaborative.org](http://www.cmasscollaborative.org).)

#### Definitions

*Bullying* is the repeated use by one or more students or by a member of a program 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.

*Cyberbullying* is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

*Hostile environment* is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of the student's education.

*Perpetrator* is any student or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.

*Retaliation* is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

*Victim* is a student against whom bullying or retaliation has been perpetrated.

### Prohibition against Bullying

Bullying is prohibited:

- on school grounds,
- on property immediately adjacent to school grounds,
- at a school-sponsored or school-related activity, function, or program, whether it takes place on or off school grounds,
- at a school bus stop, on a school bus or other vehicle owned, leased, or used by CMC,
- through the use of technology or an electronic device that is owned, leased or used by CMC (for example, on a school computer or over the Internet using a school computer)
- at any program or location that is not school-related, or through the use of personal technology or electronic devices, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school, or materially and substantially disrupts the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is prohibited.

### Vulnerable Students

CMC recognizes and plans for the potential that certain students may be more vulnerable to becoming a victim of bullying and harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics.

The civil rights of all school community members are guaranteed by law. The protection of those rights is of utmost importance and priority to CMC. CMC also prohibits bullying of school community members for reasons unrelated to their race, color, religion, national origin, ethnicity, sex, sexual orientation, gender identity, age or disability. Further, CMC will also not tolerate retaliation against persons who report an incident(s) of bullying and/or harassment.

### Reporting Bullying

Anyone, including a parent or guardian, student, or program staff member, can report bullying or retaliation. Reports can be made in writing or orally to the director or another staff member, or reports may be made anonymously. Each program has at its office a Bullying Prevention and Intervention Incident Reporting Form to be utilized upon request of a complaining party to initiate an investigation of the incident. This form is also available on the CMC home page. Alternatively, a report may be made anonymously from the CMC home page: [www.cmassc.org](http://www.cmassc.org).

School program staff members must report immediately to the director or his/her designee if they witness or become aware of bullying or retaliation. Staff members include, but are not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity, or paraprofessionals.

When the school director or his/her designee receives a report, he or she shall promptly conduct an investigation. If the school director or designee determines that bullying or retaliation has occurred, he or she shall (i) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against a perpetrator; (ii) take appropriate disciplinary action; (iii) notify the parents or guardians of a perpetrator; (iv) notify the parents or guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation; and (v) take appropriate action to protect the victim and witnesses from further bullying or retaliation.

#### Discrimination/Harassment:

CMC does not discriminate on the basis of race, color, sex, religion, age, national origin, sexual orientation, gender identity, or disability, in the operation of the educational programs, activities, or employment practices in its programs and activities. CMC complies with all applicable state and federal laws and regulations, including but not limited to, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and Massachusetts General Laws, c.151B, c.151C, c.76, §5, and c.71B.

In addition, CMC is committed to maintaining a school environment free of harassment and has non-tolerance for harassment based on race, color, sex, age, religion, sexual orientation, gender identity, disability or homelessness. Harassment by administrators, certified and support personnel, students, vendors and other individuals at school or at school-sponsored events is unlawful and strictly prohibited. CMC requires all employees and students to conduct themselves in an appropriate manner with respect to their fellow employees, students and all members of the school community.

A copy of CMC's Policy Against Harassment and Discrimination for Students is attached to this Handbook.

## **2. DISCIPLINE CODE**

A strong school community emerges as a result of high expectations and commitment from all stakeholders. Students, parents, guardians, teachers, support staff, and administrators must recognize their roles within the school community; maintain high levels of expectations, and ensure that everyone adheres to the school's rules and regulations. Respect for the rules ensures a safe, healthy, and productive school environment in which students acquire and develop social skills to become productive members of our society.

To support such a school climate, all staff members of the CMC expect and encourage high levels of expectations as it relates to students' behavior and social conduct while on or near school grounds, school buses, and school functions. CMC utilizes a PBIS approach to assist students with using proactive behavioral approaches. PBIS is an evidence-based three-tiered framework used to help students identify, learn and use positive behavior approaches. CMC incorporates PBIS interventions in all programs. Tier one supports all students in classrooms with behavior and academic strategies. Tier two targets student groups that need alternative strategies to support behavior and academic deficits and prevent further deficits. Tier three supports are individualized and student-specific.

Students are not permitted in any area of the school building/grounds without supervision by a staff member of the CMC schools before, during and after normal school hours. Students are not permitted access to the school building/grounds until 30 minutes before the official start of the school day or when personnel of the CMC schools are available for supervision. All students are expected to meet

the requirements for behavior established in this manual. G. L. c. 71B requires that additional provisions be made for special education students and whose programs are described in the Individualized Educational Plan (IEP). Such provisions will also be made, when appropriate, for students with a disability who are receiving accommodations or related services under a 504 plan.

Violation of any of the following rules is grounds for discipline, and pertains to actions while on or off school grounds and in all school-related situations.

**Rule 1 - Damage or Destruction of Property (SSDR 3510)**

The unlawful or intentional damage, willful destruction, defacement or attempt to damage or deface any school property including setting or attempting to set a fire.

**Rule 2 - Violations of school rules / Disruptive Behavior (SSDR 3600)**

Misbehavior such as refusal to respond to a reasonable request by school authorities, refusal to be in designated area, attempting to enter a prohibited area, dress code violations, possession of contraband, cheating, lying to authorities, falsifying records, excessive tardiness or any act that disrupts the orderly conduct of the school.

**Rule 3 - Battery (SSDR 1300)**

Touching or striking another person against his/her will or intentionally causing bodily harm to an individual. Must have an offender and a victim.

**Rule 4 - Fighting (mutual altercation) - (SSDR 1700)**

Mutual participation in an offense involving physical violence.

**Rule 5 - Verbal assault, threat / Intimidation to a school employee or student (SSDR 3220)**

Threatening an individual or group of individuals with a gesture(s) or body language, spoken words or sounds, in writing, by email, postings on Internet sites, or through other electronic mechanisms.

**Rule 6 - Electronic assault, threat / Intimidation to a school employee or student (SSDR 3240)**

Threatening an individual or group of individuals with a gesture(s) or body language, spoken words or sounds, in writing, by email, postings on Internet sites, or through other electronic mechanisms.

**Rule 7 - Written assault, threat / Intimidation to a school employee or student (SSDR 3230)**

Threatening an individual or group of individuals with a gesture(s) or body language, spoken words or sounds, in writing, by email, postings on Internet sites, or through other electronic mechanisms.

**Rule 8 - Harassment (including unwelcome, sexual contact) or sexual battery (SSDR 1900)**

Unwelcome attention including sexual advances, requests for sexual favors, other physical or verbal conduct/communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive environment.

**Rule 9 - Possession or Use of handgun (SSDR 0013)**

**Rule 10 - Possession or Use of Knife (SSDR 0029)**

**Rule 11 - Possession or Use of other weapon (SSDR 0040)**

Possession of a weapon such as chain, nunchakus, brass knuckle, billy club, electrical weapon or BB gun, razor blade, ice pick, dirk, Chinese star, other pointed instrument, mace, tear gas, or other incendiary device.

**Rule 12 - Possession, Use, or Sale of Drugs (SSDR 1697)**

Selling, distributing, possessing and/or using an illegal drug, drug paraphernalia or a substance represented as an illegal drug.

**Rule 13 - Possession, Use or Sale of Alcohol (SSDR 1097)**

Selling alcoholic beverages, distributing (i.e., giving away) alcoholic beverages, drinking alcoholic beverages, having alcoholic beverages in one's pocket(s), bag(s), locker, car, etc., exhibiting behaviors that suggest that an individual consumed alcohol.

**Rule 14 - Bullying (SSDR 1810)**

The repeated use by one or more students (aggressors) of a written, verbal or electronic expression or a physical act or gesture of any combination thereof, directed at a target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to him/herself or of damage to his/her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; (v) materially and substantially disrupts the education process of the orderly operation of a school. This includes cyber bullying.

**Rule 15 - Sale, Distribution, Use, Possession or suspected tobacco use (SSDR 3397)**

Sale, distribution, use or possession of tobacco products.

**Rule 16 - Obscene behavior including inappropriate messages, electronic communication, gestures, and language. (SSDR 2497)**

Suggestive, explicit, or vulgar language, cursing or abusive language or gestures on school property, posting on the internet (including posting obscene messages on Internet message boards, sending obscenities via Internet chat rooms/instant messaging, Twitter, cell phone text and downloading or emailing obscene material. Wearing clothing, jewelry, signs or symbols which has wording, or designs that are reasonably deemed by the school administration to be obscene, lewd, or vulgar, advertises alcoholic beverages, tobacco products, illegal drugs, or other controlled substances illegal or which the administration reasonably deems to be evidence of membership or affiliation in any gang.

**Rule 17 - Felony Complaint (SSDR MA19)**

Massachusetts General Laws Chapter 71 (37H ½) principals have the authority to suspend students charged with a felony and expel or impose a long-term suspension for students convicted or adjudicated of committing a felony if the principal has determined that the student's continued presence would have a substantial detrimental effect on the general welfare of the school.

**Rule 18 - Sounding a false alarm, bomb threats, chemical/biological threat, or terroristic threats (SSDR 2797)**

Intentionally making a false report of potential harm from a bomb, dynamite, explosive, or arson-causing device or intentionally making a false report of potential harm from dangerous chemicals or biological agents, or otherwise cause a false alarm of fire (Such action shall be reported under Massachusetts General Laws Chapter 269, Section 13).

This rule does not prohibit students from coming forward to warn program administration of another student's plan to make a threat.

**Rule 19 - Hazing / Harassment non-sexual (SSDR 1897)**

Committing an act or acts against a student or coercing a student to commit an act that creates risk of harm to a person.

**Rule 20 - Theft (SSDR 3110)**

Taking or attempting to take money or property belonging to another person or the school with the intent to permanently deprive the victim of his or her possessions.

**Rule 21 – Search and Seizure**

School officials may legally search backpacks, purses, other student belongings, or the student him or herself, as well as the locker assigned to the student and its contents, and confiscate property provided that:

- a) There are reasonable grounds to suspect a search will turn up evidence tending to show that the student has violated or is violating the law or the school's rules.
- b) The search is reasonably related in scope to the circumstances that justified the search in the first place.
- c) If school officials are acting under the direction of the law enforcement, they must have probable cause to conduct the search of a student or his/her possessions.

**3. BEHAVIOR MANAGEMENT AND STUDENT DISCIPLINE**

All programs under the CMC domain utilize a level/point system devised to monitor and manage students' behavior. However, these programs have developed differentiated behavioral management procedures tailored to address the needs of their specific student population. Each program at CMC uses a three-tiered Positive Behavioral Intervention (PBIS) approach. The first level of support is universal prevention (e.g. supports all students with strategies to reduce the risk of academic or behavior concerns). The second level of support is targeted prevention (e.g. targeted support/strategies towards specific student skill deficits) and the third level is intensive, individual prevention that is student-specific.

To guide each school in the development of their behavioral management system, the following guidelines are observed:

1. Positive Points and/or Level System Rubric
2. PBIS Based Student Accountability and Consequences:
  - a. Verbal warnings
  - b. Written warnings (unearned points, comments)
    - i. Call to parent/guardian (if applicable)
  - c. Temporary exclusion from peers/group (referral to office or clinician)
    - i. Call to parent/guardian (if applicable)
  - d. Time-out (voluntary time-out/take space, non-voluntary time-out)
    - i. Call to parent/guardian (if applicable)
  - e. Extended time-out (remainder of scheduled period, remainder of day, in-house suspension)
    - i. Call to parent/guardian to discuss the behavioral issue and to inform of follow-up forms to be signed by the student and parent(s)
  - f. Out-of-School suspension (1+ days) pursuant to due process procedures.
3. Student Time Out/Separation Procedures: Time out shall mean a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by the direction from staff, for the purpose of calming. 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.

- a. Student separation duration will be based upon the severity of offense and/or student ability to regain control and return to his/her scheduled group/class
- b. Teacher will inform program administrator or designee of student separation need
  - i. Teacher or designee will be responsible for the implementation of proper Time-Out procedures when a student is voluntarily or involuntarily removed from the learning activity for the purposes of calming down
  - ii. Any Time-Out exceeding 30 minutes must be authorized by the administrator or designee, and all exclusionary Time-Outs must end once the student has calmed down
  - iii. A student in a Time-Out area will be monitored by a designated staff member at all times. The student will be visible at all times within the time-out area and staff must be accessible at all times
  - iv. Time-out procedure will be fully documented and records should include reason for implementation, length and time of implementation, persons who: a) authorized and b) monitored the implementation, location of implementation, and outcome/follow-up steps
  - v. Designated Time-Out areas must be physically safe, unlocked, and appropriate for student population

#### **4. SUSPENSION POLICY**

CMC adheres to the Student Discipline Laws and Regulations as set forth in Massachusetts General Laws Chapter 37H, 37H  $\frac{1}{2}$  and 37H  $\frac{3}{4}$  and 603 CMR 53.00 et seq.

##### **ALTERNATIVE REMEDIES FOR DISCIPLINARY CONSEQUENCES**

Prior to issuing any disciplinary consequences pursuant to G.L. c. 71, § 37H  $\frac{3}{4}$  and not subject to G.L. c. 71, §§ 37H and 37H  $\frac{1}{2}$ , as discussed below, the Principal or designee will consider alternative remedies to such consequences. This policy applies only to short-term or long-term suspensions, emergency removals or in-school suspensions, or expulsions that are not issued under G.L. c. 71, §§ 37H and 37H  $\frac{1}{2}$ . This policy does not apply to disciplinary consequences issued under G.L. c. 71, §§ 37H and 37H  $\frac{1}{2}$ , which include: assault of educational staff, possession of controlled substances or a dangerous weapon on school grounds, and felony charges or conviction.

##### **IN-SCHOOL SUSPENSION PROCEDURES:**

A student may be removed from regular classroom activities, but not from the school premises, for up to ten (10) consecutive school days or up to ten (10) school days cumulatively for multiple infractions during the school year. Students who are placed in an in-school suspension shall have the opportunity to earn credits, makeup assignments, tests/quizzes, papers, and other school work as needed to make academic progress during the in-school suspension.

##### **Notice of In-School Suspension**

The program Director or his/her designee shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student with an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the Director or his/her designee determines that the student committed the disciplinary offense, the Director or his/her designee shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the Director or his/her designee shall make reasonable efforts to notify the parent orally in English or in the parent/guardian's preferred language of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension.

On the day of the suspension, the Director or his/her designee shall send written notice (by hand-delivery, certified mail, first-class mail, or email) to the student and parent including the reason and the length of the in-school suspension, and inviting the parent to a meeting if the meeting has not already occurred. The notice shall be in English and the families preferred language of the home if another language is identified in the home language survey, or by other means, as appropriate.

#### Parent Meeting

The Director or his designee shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such a meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the Director or his/her designee is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

#### No Right to Appeal

The decision of the Director or his/her designee is the final decision for in-school suspensions not exceeding ten (10) days, consecutively or cumulatively during a school year.

### **OUT-OF-SCHOOL SUSPENSION PROCEDURES:**

#### Due Process Procedures for Out-of-School Suspensions

There are two types of out-of-school suspensions, short-term suspensions, and long-term suspensions. The Director or his/her designee shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense. If the consequence may be long-term suspension from school, the director or his/her designee shall afford the student additional rights as described below, in addition to those rights afforded to students who may face a short-term suspension from school. All students facing out-of-school suspension shall have the right to oral and written notice, as described below. All student and parent/guardian communications will be made in the preferred language of the family if the primary language is not English.

#### Notice for Any Out-of-School Suspension

Prior to suspending a student, the Director or his/her designee will provide the student and the parent oral and written notice of the possible suspension, an opportunity for the student to have a hearing and the opportunity of the Parent(s) to participate in the hearing. The notice will be in English and in the primary language of the home if other than English as identified in the home language survey, or by other means of communication where appropriate. The notice will set forth in plain language:

1. the disciplinary offense;
2. the basis for the charge;
3. the potential consequences, including the potential length of the student's suspension;
4. the opportunity for the student to have a hearing with the Director or his designee concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
5. the date, time, and location of the hearing;
6. the right of the student and the student's parent to interpreter services at the hearing if needed to participate;

7. if the student may be placed on long-term suspension following the hearing with the Director, the student has the following additional rights:
  - a. in advance of the hearing, the opportunity to review the student's record and the documents upon which the Director may rely in making a determination to suspend the student or not;
  - b. the right to be represented by counsel or a lay person of the student's choice at the student's/parent's expense;
  - c. the right to produce witnesses on the student's behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
  - d. the right to cross examine witnesses presented by CMC; and
  - e. the right to request that the hearing be recorded by the Director and to receive a copy of the recording upon request. If a recording is requested, the Director shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student/parent upon request.

The Director or his/her designee shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. Prior to conducting a hearing without the parent present, the Director or his/her designee will document reasonable efforts to include the parent. The Director or his/her designee is presumed to have made reasonable efforts if the Director or his/her designee has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

Written notice to the parent may be made by hand delivery, first-class mail, certified mail, or email to an address provided by the parent for program communications, or any other method of delivery agreed to by the Director and parent.

#### Emergency Removal of Student

Under certain emergency circumstances, it may not be practical for the Director or his/her designee to provide prior oral and written notice before removing a student from the program. The Director or his/her designee may remove a student from the program 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 program, and, in the Director's (or his/her designee) judgment, there is no alternative available to alleviate the danger or disruption. The Director or his/her designee will immediately notify the Executive Director in writing of the removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the director shall:

1. Make immediate and reasonable efforts to orally notify the student and the student's parent in the primary language of the home if other than English of the emergency removal, the reason for the need for emergency removal, the disciplinary offense, the basis for the charge, the potential consequences, including potential length of the suspension, the opportunity for a hearing including the date/time/location of the hearing, the right to interpreter services. All communication (i.e. written or oral) will be completed using the most recently used parent contact information that the program has on file.
2. Provide written notice (e.g. hand delivery, first-class mail, certified mail, email to an address provided by the parent for school communication or any method agreed upon by the Director and the parent/guardian) to the student and parent, including the information described in section (a) immediately above;
3. Provide the student an opportunity for a hearing with the Director or his/her designee that complies with the requirements for a short-term or long-term suspension, as applicable, 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 director, student, and parent.

4. Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements for short-term suspension or long-term suspension decisions, as applicable.

A Director will not remove a student from the program on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

### **SHORT-TERM SUSPENSION PROCEDURES:**

A Short-Term Suspension is the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. The Director, or his/her designee, may, in his or her discretion, allow a student to serve a short-term suspension in their program. Any student facing a potential short-term suspension is entitled to a hearing with the Director or his/her designee with the following process.

#### *Director Hearing - Short-term Suspension*

1. The purpose of the hearing with the Director or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.
  - a. At a minimum, the Director or his/her designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.
  - b. The student also shall have an opportunity to present information, including mitigating facts that the Director or his/her designee should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension.
  - c. Alternative consequences may be used, as appropriate and include evidenced based strategies and programs (i.e. positive behavioral interventions and supports, meditation, conflict resolution).
  - d. The Director or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Director should consider in determining consequences for the student.
  - e. All communication (i.e. written or oral) will be completed using the most recent parent contact information that the program has on file.
2. Communication will be in the family's primary language. Written communication will be delivered to the parent/guardian by hand delivery, first-class mail, certified mail, an email to an address provided by the parent for school communication or any method agreed upon by the Director and the parent/guardian.
3. Based on the available information, including mitigating circumstances, the Director or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.
4. The Director or his/her designee shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of the suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The determination shall be in writing and may be in the form of an update to the original written notice.
5. If the student is in grades K through 3, the Director shall send a copy of the written determination to the Executive Director and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

### No Right to Appeal

The decision of the Director or his/her designee is the final decision for short-term out-of-school suspensions not exceeding ten (10) days, consecutively or cumulatively during a school year.

### **LONG-TERM SUSPENSION PROCEDURES:**

A Long-Term Suspension is the removal of a student from the program's 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. The Director or his/her designee, may, in his or her discretion, allow a student to serve a long-term suspension in school.

Except for students who are charged with a disciplinary offense set forth in Massachusetts General Laws Chapter 71, §37 H, or in Massachusetts General laws Chapter 71 § 37H 1/2, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from the program.

No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed. Any student facing a potential long-term suspension is entitled to a hearing with the Director or his/her designee with the following process:

### Director Hearing - Long-term Suspension

1. The purpose of the hearing with the Director or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges, and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense and if so, the consequences for the infraction.
  - a. At a minimum, the Director or his/her designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.
  - b. The student also shall have an opportunity to present information, including mitigating facts, that the Director should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension.
  - c. The Director or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Director should consider in determining consequences for the student.
2. In addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following additional rights:
  - a. Prior to the hearing, the student will have the opportunity to review the information the Director is using to determine if the student will be suspended;
  - b. The right to be represented by counsel or a layperson of the student's choice, at the student's/parent's expense;
  - c. The right to have a witness on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
  - d. The right to cross-examine witnesses presented by the school districtCMC;
  - e. The right to request that the hearing be recorded by the Director, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the Director shall inform all participants of the recording at the beginning of the hearing.
3. The Director or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that

the Director should consider in determining consequences for the student.

4. Based on the evidence, the Director or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension.
5. The Director or his/her designee shall send the written determination to the student and parent in their primary language if other than English by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for program communications, or any other method of delivery agreed to by the Director and the parent.
6. If the Director or his/her designee decides to suspend the student, the written determination shall:
  - a. Identify the disciplinary offense, the date of the hearing, and the participants;
  - b. Outline the key facts and conclusions reached by the Director;
  - c. Identify the length and effective date of the suspension and return date to the program;
  - d. Include documentation of the student's opportunity to receive education services to make academic progress during the period of removal from the program;
  - e. Inform the student of the right to appeal the Director's decision to the Executive Director or designee, but only if the Director has imposed a long-term suspension. The Notice of the right to appeal shall be in English and the family's preferred language and shall include the following information:
  - f. The process for appealing the decision, including that the student or parent must file a written notice of appeal with the Executive Director within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) 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 (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Executive Director decides to reverse the Director's determination on appeal.
7. If the student is in grades K through 3, the Director shall send a copy of the written determination to the Executive Director and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

#### Executive Director's Appeal Hearing

1. A student who is placed on long-term suspension following a hearing with the Director shall have the right to appeal the director's decision to the Executive Director.
2. The student or parent shall file a notice of appeal with the Executive Director within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) 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 (7) 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 (3) school days of the student's request unless the student or parent requests an extension of up to seven (7) 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 alleged disciplinary offense; 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 Director's hearing for long-term suspension.
7. The Executive Director shall issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension decision at the Director's level. 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 Director, but shall not impose a suspension greater than that imposed by the Director's decision.
8. The decision of the Executive Director shall be the final decision of the school district, with regard to the suspension.

A parent/guardian conference (re-entry meeting) with the Director or his/her designee is strongly encouraged before students who are suspended return to the program. This conference will be used to promote the engagement of the parents or guardians in discussions of the student's misconduct and to assist the student in re-engaging with the school community.

#### **LONG-TERM SUSPENSION/EXPULSION PROCEDURES FOR SPECIAL CIRCUMSTANCES:**

The long-term suspension or expulsion of a student from school for possession of a dangerous weapon, possession of a controlled substance or assault on educational staff will be in accordance with Massachusetts General Laws, Chapter 71, Section, 37H.

The grounds for long term suspension or expulsion include but are not limited to the following:

1. 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 94C, including, but not limited to, methamphetamines, cocaine, and heroin, may be subject to long-term suspension or expulsion from the program by the Director or his/her designee.
2. Any student who assaults a Director, Assistant Director, 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 long-term suspension or expulsion from the program by the Director or his/her designee.

Due process for a student who is subject to expulsion or a long-term suspension as a result of possessing drugs/weapons or assaulting educational staff includes the following:

1. A student shall receive written notice of the opportunity for a hearing before the Director and the opportunity to have representation at their own expense, as well as to present witnesses and evidence at the hearing before any expulsion or a long-term suspension takes place.
2. Following the hearing, the director or his/her designee may, in his/her discretion, decide to suspend rather than expel the student.
3. The student may appeal an expulsion under this section to the Executive Director provided the appeal is requested in writing within ten (10) calendar days from the date of the expulsion.
4. At the appeal hearing, the student may be represented by an attorney.
5. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of MGL c. 71 Section 37H or this section of the Handbook.

6. The Executive Director's decision is final.
7. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and make academic progress toward meeting state and local requirements, through the program-wide education service plan.

### **DISCIPLINE PROCEDURES FOR STUDENTS WITH FELONY COMPLAINTS OR CONVICTIONS:**

In accordance with Massachusetts General Laws Chapter 71 (§37 H 1/2), Directors have the authority to suspend students charged with a felony and expel or issue a long-term suspension to students convicted or adjudicated of committing a felony if the Director has determined that the student's continued presence in program would have a substantial detrimental effect on the general welfare of the program.

Due process for a student who is subject to suspension as a result of a felony charge includes:

1. The student shall receive written notice of the charges and the reasons for suspension before the suspension takes effect and written notice of the right to appeal and the process for appealing.
2. The student shall be given an opportunity to respond to the charges before the suspension takes effect.
3. The student may appeal the suspension to the Executive Director, provided the appeal is requested in writing within five (5) calendar days following the effective date of the suspension.
4. The Executive Director must hold the appeal hearing within three (3) calendar days of the request.
5. At the appeal hearing the student may be represented by an attorney. The student has the right to present oral or written testimony on his/her behalf.
6. The Executive Director must render a decision within five (5) calendar days of the hearing.
7. The Executive Director's decision is final.
8. Any student who is suspended pursuant to this section shall have the opportunity to earn credits, as applicable, makeup assignments, tests, papers, and other school work as needed to make academic progress during the period of his/her removal.
9. Any student who is suspended for more than ten (10) consecutive days shall have the opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

Due process for a student who is subject to an expulsion as a result of a felony conviction includes:

1. A student shall receive written notice of the charges and reasons for expulsion before the expulsion or a long-term suspension takes place and written notice of the right to appeal and the process for appealing.
2. The student shall be given an opportunity to respond to the charges.
3. The student may appeal the expulsion to the Executive Director provided the appeal is requested in writing, within five (5) calendar days following the effective date of the expulsion.
4. The Executive Director must hold the appeal hearing within three (3) calendar days of the request.
5. At the appeal hearing the student may be represented by an attorney and may present oral and written testimony.
6. The Executive Director must render a decision within five (5) calendar days of the hearing.
7. The Executive Director's decision is final. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

## **EDUCATION SERVICES AND ACADEMIC PROGRESS UNDER SECTIONS 37H, 37H 1/2 AND 37H 3/4:**

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 program. The Director shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed. Notice shall be provided in English and in the preferred language spoken in the student's home if other than English, or other means of communication if appropriate. CMC will collaborate with sending districts on the provision of education services and ensuring students make academic progress during school exclusions.

## **ELIGIBILITY TO PARTICIPATE IN SCHOOL ACTIVITIES AND EVENTS**

Extra-curricular activities and events are an important part of the educational experience for our students, but participation in these activities is a privilege, not a right. The variety of clubs, activities and events is extensive and students are encouraged to become involved in one or more of these opportunities.

Participation in clubs and activities at CMC and attending school-sponsored, school-related events is a privilege afforded to students who remain in good standing. To participate in school activities, events and clubs, students are expected to maintain good attendance and demonstrate good behavior and citizenship during school and at school-sponsored events. Eligibility for participation in activities, events, clubs, awards, scholarships and honorary positions at CMC is limited to students who are currently enrolled in and attending CMC in good standing. Students not meeting these expectations may be excluded at the discretion of the director or his/her designee. A student's removal from extracurricular activities and attendance at school sponsored events is not subject to the procedural requirements of Massachusetts Laws Chapter 37H <sup>3</sup>/<sub>4</sub> (Director's Hearing).

The removal is not a suspension for the purpose of counting the school days that a student is suspended. Parents will be notified when a student is removed or excluded from extracurricular activities.

## **LEGAL POLICIES**

### **1. DUE PROCESS**

Respect is at the heart of Central Massachusetts Collaborative: respect for yourself, respect for the staff, and respect for your school. Every student has a right to an education in a safe, secure and supportive environment, and every teacher has a right to expect respectful, prepared students in his/her classroom. The administration will treat all students consistently and equitably, and will respect the rights of all students to an education in a safe and healthy environment. It is the policy of the Central Massachusetts Collaborative to ensure fair and effective disciplinary practices. Accordingly, the following rules and regulations will be administered fairly and consistently to all students:

The Code of Conduct of CMC is administered within the framework of the United States Constitution and state laws and regulations with regard to due process for students. The Code of Conduct is intended to be administered for disciplinary infractions that occur on school grounds or at school-sponsored events (on and off school grounds) OR for disciplinary infractions that occur off school grounds but substantially disrupt the educational environment or create a hostile environment at school.

The Code of Conduct is based on a system of progressive discipline with a goal of limiting the use of long-term suspension as a consequence for student misconduct until other consequences have been considered, and tried as appropriate. The administrator will exercise discretion in determining disciplinary consequences and may utilize his/her discretion to significantly increase penalties in the cases of second and third offenses or for other factors. In determining the severity of the penalty or suspension, the appropriate administrator may consider all relevant facts, including but not limited to:

- 1) previous disciplinary record
- 2) severity of disruption to the educational process
- 3) degree of danger to self and/or others
- 4) the degree to which the student is willing to change his/her inappropriate behavior and
- 5) whether alternative consequences are appropriate to re-engage the student in learning.

Alternative consequences may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

## **2. SEXUAL HARASSMENT**

It is the policy of the CMC, as well as state and federal law, that sexual harassment of a student, present or prospective employee, or visitor shall not be tolerated.

Sexual harassment is defined as including, but not limited to, unwelcome advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is either made explicitly or implicitly a term or condition of an individual's study, work or employment, in the CMC sites.
2. submission to or rejection of such conduct by an individual is used as the basis for educational or employment decisions affecting such individuals.
3. such conduct has the purpose or effect of substantially interfering with the educational performance or work of an individual with reasonable sensitivity.

Sexual harassment is not limited to prohibited conduct by a male toward a female, by a supervisory employee toward a non-supervisory employee or by a teacher toward a student, by a student toward a teacher, or by a student toward a student. The CMC's view of sexual harassment includes, but is not limited to, the following considerations:

1. A male, as well as a female, maybe the victim of sexual harassment, and a female, as well as a male, may be the harasser.
2. The harasser does not have to be the victim's superior.
3. The victim may be of the same or opposite sex as the harasser.
4. The victim does not have to be the person to whom the unwelcome sexual conduct is directed. The victim may also be someone who is affected by such conduct when it is directed toward another person. For example, inappropriate attempts at humor or sexual harassment of one female/male may create an intimidating, hostile or offensive environment for another female/male or may unreasonably interfere with an individual's educational or work performance.
5. Sexual harassment does not depend on the victim's having suffered an educational or economic consequence as a result of the harasser's conduct.

Violations of this policy and of the law, if proven, will result in disciplinary action, or, in appropriate circumstances, notification of law enforcement or other state agencies. Any person who believes that he/she has been the victim of sexual harassment may seek redress through the CMC's Sexual Harassment Grievance Procedures.

A formal grievance may be filed at any time by a student, employee, administrator, and/or applicant who believes that his/her rights as outlined in the sexual harassment policy have been violated. Each student, faculty member, administrator, or staff member has an obligation to make every effort to resolve problems informally as they arise. All members of the CMC community are urged to resolve problems fairly and informally so that they do not become sources of grievances to be pursued formally through the grievance procedure.

#### Provisions

1. Grievance procedures for all employees and students regarding any matter follow a standard process, but can vary to accommodate the sensitivity of the charges, as well as the grievant or the individual, against whom the grievance is made.
2. Grievants are not limited to a formal grievance procedure, but may seek relief from other agencies, including the Equal Employment Opportunity Commission, the Massachusetts Commission against Discrimination, or the Office for Civil Rights of the Department of Elementary and Secondary Education.
3. Any retaliatory action of any kind taken by an employee or student of the CMC schools against any other employee or student of the CMC schools as a result of that person's seeking redress under these procedures, cooperating in an investigation, or otherwise participating in any proceeding under these procedures, is prohibited, and shall be regarded as a separate and distinct grievable matter.
4. Whenever a grievance involves issues of sexual harassment of any kind, the CMC Executive Director shall be notified in writing by the grievant, or by the administrators or agents of the CMC schools to whom the grievance is brought.
5. All grievance proceedings, informal and formal, will to the greatest possible extent, be held in confidence by all persons directly or indirectly involved within them.
6. Failure of the grievant to meet the time specifications acknowledges the grievant acceptance of the decision of the previous step. He/she forfeits the right to pursue the grievance further.

Remedial actions will depend on the severity of the incident. Due to the private nature of incidents involving sexual harassment and the emotional and moral complexities surrounding such issues, every effort will be made to resolve problems on an informal basis. When a grievance is resolved informally only a short summary of the incident will be maintained on file.

Any admission of guilt, an acknowledgment of the verbal warning, a promise not to commit such abuse again, and action taken to provide appropriate relief may be a sufficient resolution. At the informal stage, we hoped to sensitize the person at fault to the effects of such behavior, to be constructive and not unduly punitive in the disciplinary action.

If informal resolutions are not adhered to, or if no resolution can be agreed to at the formal stage, the Board of Directors may deem it necessary to take appropriate action that can include formal letters of reprimand, suspension, or a recommendation of dismissal.

### **3. ATTENDANCE/TRUANCY POLICY**

The CMC programs have adopted an Attendance/Truancy Policy which includes standards of attendance for grades K-12 and is aligned with the accountability requirements of the No Child Left Behind Act, the Massachusetts Department of Elementary and Secondary Education and M.G.L. chapter 76, s. 1B. Inherent in the standards is an understanding that parents and the program need to work together in encouraging pupil attendance on each day that the program is in session. Parents

must emphasize that punctuality and regularity of attendance are important to the child from the very first day of school. Individual CMC programs may enhance/modify the CMC attendance and truancy procedures in order to adjust them to their specific student population.

#### Attendance:

1. A student shall not be repeatedly absent from the program without legitimate cause. A student enrolled is expected to be present and punctual each day the program is in session. Parents will report each absence by telephone prior to the absence or by written note within two (2) days.
2. Fourteen (14) absences per year will be considered excessive and may result in retention.
3. After five (5) absences, and every additional five (5) absences, the Director (or designee) will notify the parent or guardian in writing and may request a meeting with parent(s)/guardian(s) to discuss the student's attendance and to develop action steps for student attendance. The program will also notify the sending school district of the student's absences and the reason for the absences. The District will make reasonable efforts to meet with the parent or guardian to discuss five (5) or more unexcused absences and may include the sending school and/or state agencies, as appropriate.
4. Each program will develop and announce to parents its procedures for improving the attendance of those students who have more than five (5) unexcused absences during the school year. The program procedures may include, as needed: parent conference(s), referral to social service agencies, petition to the court, a mandated behavior modification plan, demerits, and/or detention.
5. When a student accumulates seven (7) or more unexcused absences, the director (or his/her designee) may file an appropriate action with the Juvenile Court or contact other state agencies.

The program will exercise judgment in justification for illness, extended hospitalization, or placement out of the home during which school attendance is not reasonably expected.

Family vacations taken during school time are absences. Families should plan their vacations during the regularly scheduled school vacations and make appointments after program hours.

Absences for religious holy days and for a death in the student's immediate family require a note from the student's parent or guardian. Notes are due within two (2) school days of the absence. Upon receipt of the appropriate note from the parent or guardian, these absences will not count toward the fourteen (14) days. All other absences will count towards a loss of academic credit.

#### Tardiness

1. A student who is not in his/her seat at the start of homeroom or class will be considered tardy. A student who is absent for more than one-half (1/2) of a class period will be considered absent from the class.
2. Three (3) unexcused tardiness to a class in any semester will equal one (1) absence in that class.

#### Dismissals

1. A student who misses more than one-half of a class period due to dismissal will be considered absent for that class.
2. A student who misses less than one-half of a class period will be considered dismissed for that class.
3. Four unexcused dismissals from a class in any semester will equal one absence in that class.

### Notification to Students and Their Parents/Guardians

Parents and/or guardians are responsible for monitoring their child's attendance in class and in school.

1. Interim progress reports (at five (5) weeks into each marking period)
  2. Report Cards (every ten (10) weeks). The high school report card shows students' absences from each class and student's' total absences from school.
  3. Written notification of students' five (5) unexcused absences.
  4. Written notification of students' fourteen (14) unexcused absences and possible loss of credit.
- The failure of parents/guardians to receive these notifications does not change the facts or consequences regarding a student's absences.

### Absences Not Resulting in a Loss of Credit

The following is a list of absences which will not count toward the loss of credit:

1. Religious holy days: The student's religion must require that the student does not attend school on the specific holy day or that school attendance would interfere with required religious observances. The parent/guardian must notify the school in writing within two (2) school days before or after the absence.
2. Death in the immediate family: Up to five (5) consecutive days for bereavement due to the death of a member of the student's immediate family: mother, father, sister, brother or any other member of the immediate household. One (1) day to attend the funeral of grandparents, aunts, uncles, cousins, nieces or nephews. The parent/guardian must notify the school in writing within five (5) school days after the absence(s) occurred.
3. Court appearance: The student must have been subpoenaed to appear in a court of law. The student must be a witness, plaintiff, or defendant in a court proceeding. Within five (5) school days before the required court appearance, the parent/guardian must notify the school in writing and provide documentation from the court.
4. Extended hospitalization: The parent/guardian must submit to the school release papers from the hospital documenting the student's extended hospitalization. Because of a serious illness documented in writing by a doctor, any student who will be out of school for fourteen (14) consecutive days or for a chronic illness of less than fourteen (14) days for each occurrence will receive home or hospital instruction upon the receipt of a Physician's Statement for Temporary Home or Hospital Education pursuant to 603 CMR §28.03(3)(C).

Days out of school because of out-of-school suspensions are absences which do not count towards a loss of academic credit. Students who are absent because of out-of-school suspensions must make up missed assignments, homework, and/or tests and will otherwise be given the opportunity to make academic progress. The Director has the right to require and seek additional medical opinions and diagnosis regarding a student's absence(s) due to illness. The Director can determine that other extenuating circumstances justify absences which do not merit a loss of academic credit.

## **4. STUDENT RECORDS**

CMC complies with state and federal laws and the regulations developed by the Massachusetts Department of Elementary and Secondary Education relating to the maintenance and distribution of student records.

CMC does not receive the original student files from the sending school district. Although we maintain a student filing system, the sending school district is responsible for maintenance and upkeep of students' original files for future use, guidance, and reference.

The Executive Director will provide for the proper administration of student records in keeping with state and federal requirements. The temporary record of each student will be destroyed no later than seven (7) years after the student transfers, graduates or withdraws from CMC. Written notice to the eligible student and his/her parent of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part shall be made at the time of such transfer, graduation or withdrawal. The student's CMC transcript may only be destroyed sixty (60) years following his/her graduation, transfer, or withdrawal from CMC.

The Family Education Rights and Privacy Act (FERPA) and the Massachusetts Student Records regulations afford parents and students over 14 years of age certain rights with respect to the student's education records. Parents and students can obtain a complete copy of their rights under the Massachusetts Student Records regulations by contacting their program director.

## **5. CHANGE OF STUDENT'S LEGAL STATUS**

The CMC school, in compliance with 603 CMR 18.05(4)(b), requires all parents, guardians, and social agencies legally responsible for the student enrolled at the CMC programs to inform the program administrator of any changes in the student's legal status.

We also request that the child's legal guardian inform the program administrator of the results of all judicial and administrative proceedings concerning the student.

In the event of a change in the student's legal status, the child's legal guardian shall:

1. Contact the program administrator and inform him/her of the change. The legal guardian must provide written evidence of the change.
2. Contact the program administrator and inform him/her of the results of all judicial and administrative proceedings concerning the student.

## **6. NOTIFICATION OF CHANGES IN POLICIES AND PROCEDURES**

The CMC, in compliance with the special education regulations 603 CMR 28.09 (5)(c), devised the following procedures regarding the notification of the development of new policies and procedures and/or changes in current policies and procedures to the Department of Education, parents/guardians, and school districts.

1. Manual containing policies and procedures approved by the Department of Elementary and Secondary Education (DESE) will be distributed to every parent and school district at the beginning of each academic year.
2. If substantial changes to the current policies and procedures are proposed, the CMC will notify the DESE (Form 1) with ample time for review, response, and approval of proposed changes.
3. The CMC will also notify the DESE (Form 1) of any sudden and/or unexpected changes to the current policies and procedures that might impact the overall school functioning.
4. Upon approval, an addendum to the current manual will be sent to parents/guardians and school districts as part of the notification process. Changes will be incorporated into the revised manual for the next academic year's dissemination.
5. In the event of such changes, the Executive Director of CMC or designee (i.e. program director) will be responsible for notifying the DESE, parents/guardian, and school districts of changes.

## **7. IMMEDIATE NOTIFICATION OF INCIDENTS**

The CMC school directors (or designee) must immediately notify (verbally and, subsequently in writing) parents, guardians, executive director, special education administrator of sending school districts, agency(ies) involved with the child, and the MA Department of Elementary and Secondary Education (Form 2) the occurrence of any of the following incidents:

1. Death of a student
2. The filing of a 51A report with DCT or a DPPC complaint alleging abuse or neglect of any student or school staff member
3. Any action taken by a federal, state, or local agency that might jeopardize the school's approval with the Department of Elementary and Secondary Education.
4. 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.
5. Hospitalization of a student, including outpatient emergency room and urgent care visits, due to physical injury at school or previously unidentified illness, accident or disorder which occurs while the student is in the school or program
6. Whenever a student runs from the program. In the event that a student leaves the school without permission the following protocol will be employed:
  - a) The director will be notified immediately by the supervising staff or assistant director when the student has left the building.
  - b) The parent/guardian will be notified immediately.
  - c) The director will determine, in conjunction with parents and support personnel, whether the student is at risk. Consideration to the student's age, cognitive ability, and emotional state when he/she left the building will determine whether the police should be notified.
  - d) The director or designee will notify the sending school district and the Executive Director.
  - e) If a student meets the runaway criteria as defined above, an incident report will be filed with all appropriate agencies, including the Massachusetts Department of Elementary and Secondary Education.
7. Any other incident of a serious nature that occurs to a student: Examples include police involvement, community involvement and media coverage
8. Emergency termination of a Massachusetts student consistent with 603 CMR 28.09(12)(b) and 18.05(7)(d): Day school and residential hours.

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

- a) The school will immediately notify the sending school district and the Department of Education of the circumstances in which the student needs to be terminated.
- b) The sending school district is expected to take responsibility for the student and to immediately convene an emergency team meeting to address an appropriate course of action and new placement for the student prior to termination.

## **8. PARENT CONSENT**

In order to comply with 603 CMR 18:05 regulations concerning parent consent agreements, the CMC schools follow specific guidelines to ensure that our programs and the sending school districts collaboratively involve parents and obtain necessary parental consent, whenever applicable, on behalf of the students enrolled in the CMC schools.

Prior to student admittance:

1. During the in-take meeting, the program director or designee will request parents, guardians, and/or any social agency legally responsible for the student to sign several forms and disclaimers to formalize the student's registration to the program.
2. Matters requiring parental consent include, but are not limited to, the following:
  - a. In coordination with responsible school districts, any evaluations of the student and/or acceptance of the student's IEP
  - b. Emergency medical care
  - c. program's policy and procedures on the use of time-out
  - d. program's policy and procedures on restraint
  - e. program's policy on research, experimentation, fundraising, publicity, and observation
  - f. In coordination with responsible school districts, the Parental Notification Law pursuant to Chapter 71, § 32A concerning curriculum that primarily involves human sexual education or human sexuality issues
  - g. Receipt of CMC and program's policy and procedures handbook

## **9. SUPERVISION OF STUDENTS**

The CMC schools, in compliance to 603 CMR 18.00 standards, provide appropriate supervision of all students engaged in activities, on or off school grounds, in each of our day programs. Each program is composed of a specific student population (i.e. age, grade) which requires different levels of supervision. Our programs maintain a maximum student/teacher ratio of 10:1. The student supervision ratio diminishes by additional support personnel in each program, such as instructional assistants, clinicians, and administrative personnel.

## **10. STUDENT EMPLOYMENT INFORMATION**

Employment Permits (14-18 years of age) are issued at school. Effective January 3, 2007, anyone under 18 years of age must obtain a work permit before starting a new job (M.G.L. c. 149 sections 86-89). Applications for work permits and complete information on legal limits of work hours and conditions of employment are available on the Massachusetts Department of Labor's Division of Occupational Safety website at: [www.mass.gov/dos/youth/index.htm](http://www.mass.gov/dos/youth/index.htm)

## **11. STUDENT TERMINATION**

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

In case of a planned termination:

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

- b) The plan shall describe the student's specific program needs, the short and long-term educational goals of the program, and recommendations for the follow-up and/or transitional services.
- c) The team chair shall thoroughly explain termination procedures to the student, the parents, and other stakeholders, including the sending district's administrator of special education and officials of the appropriate human service agency, if applicable.
- d) The written termination plan shall be implemented in no less than thirty days unless the team agrees to an earlier termination date.

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

- a) The CMC program involved in the incident will immediately notify by telephone and by letter the student's parents, any state agency involved in the student's care or program placement, the sending school district, and the Department of Elementary and Secondary Education of the circumstances in which the student needs to be terminated
- b) Upon telephone notification of the emergency termination, the sending school district is expected to take responsibility for the student and to immediately convene an emergency team meeting to address an appropriate course of action and new placement for the student prior to termination.
- c) If the sending school district requests, termination may be delayed up to a maximum of two calendar weeks from the date of notification in order to allow the emergency team meeting to occur. Emergency termination will not be delayed beyond two calendar weeks without the express consent of both the sending district and the CMC programs.

## **12. RESEARCH, EXPERIMENTATION, FUNDRAISING, PUBLICITY, AND OBSERVATION**

The CMC schools will not conduct or allow anyone to conduct any research, experimentation, fundraising, observation and/or publicity of any student without prior written authorization from the parent or legal guardian or the student if he or she is 18 years of age.

- 1. The sending school district responsible for the student, state agencies involved in the student's care, and the Massachusetts Department of Elementary and Secondary Education may observe the student on site.
- 2. CMC programs may develop or implement fundraising mechanisms to support the program's programs, special projects, extracurricular activities, etc. Students however will not be part of the fundraising process.
- 3. If a research project involving students and/or a student observation is requested, a written plan of the research project, including observation of student(s) must be submitted to the CMC Executive
- 4. Director for approval. Upon approval, written parental consent will be collected. Student(s) whose parents have denied consent to participation in the project will be excluded from the study.

## **SAFETY**

### **1. REPORTING SUSPECTED CHILD ABUSE AND/OR NEGLECT**

Massachusetts General Laws (MGL) Chapter 119, Section 51, A & B governs the reporting of suspected child abuse and neglect and requires all CMC employees to report suspected cases of abuse and neglect to the Department of Children and Family Services.

MGL Chapter 19 C governs the reporting of suspected abuse and neglect of students ages 18 and over and requires all CMC employees to report suspected cases of abuse to the Disabled Persons Protection Commission.

1. The CMC policy requires personnel to inform parents and/or guardians when there is an indication of a student's self-destructive behavior. The purpose of this is to alert the parents/guardians about the student's possible need for additional support and/or treatment.
2. A report will be filed by school authorities (with the appropriate agency) when a parent ignores the program staff's efforts to involve the parents in a perceived need of the child requiring special education services, counseling, or emergency medical treatment.

#### AGENCIES

1. Department of Children and Families (DCF)  
Reporting Line: (508) 929-2000
2. Disabled Persons Protection Commission (DPPC)  
Reporting Line: 1-800-426-9009

## **2. PHYSICAL RESTRAINTS**

The Board of Education adopted new regulations on the use of physical restraint in public education programs. The regulations (603 CMR 46.00) are meant to promote safety for all students. Physical restraint, including prone restraint where permitted, shall be considered an emergency procedure of last resort and shall be prohibited in public education programs except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances. Mechanical restraints, medications and seclusion are prohibited in all public education programs and CMC additionally does not allow the use of prone restraints.

The amended regulations were approved by the Board of Elementary and Secondary Education on December 16, 2014 and took effect on January 1, 2016. 603 CMR 46.00 may be found at:  
<http://www.doe.mass.edu/lawsregs/603cmr46.html>.

#### TRAINING

All staff will receive a general training in restraint prevention, district behavior support policies, and requirements for the use of restraint. This training will occur within the first month of each school year (or within the first month of employment for staff hired after September).

Building administrators designate additional staff members that will receive "in-depth training" in the use of restraint to assist in the proper administration of physical restraint within their program building

The CMC adopts and provides annual "in-depth" training to all staff members with direct responsibility for students on the Nonviolent Crisis Intervention or similar De-escalation and Restraint Training program. The philosophy of the training program is to provide the best possible care, welfare, safety, and security to all stakeholders involved in a crisis situation.

The objectives of the training program are:

1. **Prevention and Deceleration Strategies** in order to identify behavior that indicates an escalation toward aggressive and violent behavior and take appropriate measures to avoid, decelerate, and/or de-escalate crisis situations.
2. **Decision Making** to assess the level of risk associated with crisis behavior and make appropriate decisions related to the management of such risks.
3. **Managing Behavioral Risk Using Disengagement and/or Holding Skills** to use suitable and accepted physical interventions to reduce or manage risk behavior.
4. **Postvention Approaches** to identify the impact of crisis events and describe post-crisis responses which can be used for personal and organizational support and learning.

These skills are designed to teach and guide staff members on how to resolve disruptive and dangerous situations effectively and in a safe and respectful manner.

Physical Restraint is an emergency procedure of last resort, prohibited except when:

1. The student's behavior poses a threat of assault or imminent, serious, physical danger to self and/or others; and
2. The student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.

If a student requires physical management, the following guidelines will be observed:

1. Physical restraint must terminate as soon as the student is no longer an immediate danger to self or others, or the student indicates that he/she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged coughing or crying
2. If a student is restrained beyond 20 minutes, staff must obtain approval of the administrator or designee. Approval must be based upon the student's continued agitation justifying need for continued restraint
3. All physical restraints must be recorded and reported
  - a. Staff must immediately verbally inform administrator or designee; submit a detailed written report within 24hrs
  - b. Administrator or designee must verbally inform the student's parent immediately; send a detailed written report within 3 school days
  - c. The detailed written report must include the following information:
    - i. Names and titles of all involved in administration of restraint, including the recorder
    - ii. Name of administrator verbally informed of restraint
    - iii. Description of incident, including antecedents, triggers, efforts made to de-escalate situation, and justification for initiating physical restraint
    - iv. Description of restraint, including holds used, student's actions and reactions during the restraint, how the restraint ended, and specific documentation of injury to the student and/or staff during the restraint
    - v. Any need for medical care
    - vi. Information regarding any further action(s) that the program has taken or may take, including disciplinary sanctions that may be imposed on the student
4. If a restraint has resulted in a serious injury to a student or staff member, the program shall provide a copy of the written report to the Department of Elementary and Secondary Education within 3 school working days of the administration of the restraint
5. Student, staff and parents must have an opportunity to process the incident, restraint and any disciplinary sanctions that may be imposed on the student

6. The program administrator will complete weekly individual student reviews and monthly program-wide reviews of physical restraints
7. The program administrator or designee shall maintain an on-going record of all instances of physical restraint and report them to DESE annually

### **3. EVACUATION AND EMERGENCY PROCEDURES**

The CMC schools, in compliance with 603 CMR 18.00 and Chapter 159 of the Acts of 2000, section 363, have developed and implemented a building Evacuation Plan.

The evacuation plan follows the following guidelines:

1. Each building shall have a crisis response team
2. Each building shall have an evacuation binder, to be taken by a designated person from the crisis response team at the time of the evacuation. The binder should contain, but it is not limited to:
  - a. Evacuation routes
  - b. List of all personnel and building visitors
  - c. List of all students in attendance
  - d. List of parents addresses and phone numbers, including emergency numbers
  - e. Transportation list, including phone number of transportation providers
3. Each building shall have a designated rally point where student attendance / count will take place
4. Each program shall have a designated evacuation sheltered area in which students and staff may access in case of inclement weather conditions
5. Each building shall perform four evacuation drills each school year
6. Each evacuation drill shall be registered in the evacuation log, which includes date, time, time elapsed, number of participants (students and staff), witnesses (i.e. fire department), and performance. Results of the evacuation drills will assist building administrators in evaluating the effectiveness of emergency plans and procedures.
  - a. All staff members shall participate in the evacuation training each year.
  - b. The crisis response team shall have their assignment and responsibilities prior to the first evacuation drill.

### **4. RUNAWAY STUDENTS**

A runaway student is defined as a student who a) leaves the school building without permission from a parent, guardian, or program administration during the scheduled school day, b) appears to be emotionally unstable as determined by the program administration and/or support personnel, and c) is under the age of 16 and has not returned to the program during the program's operating hours.

In the event that a student leaves the school building without permission the following protocol will be employed:

1. The director will be notified immediately by the supervising staff or assistant director as soon as possible after the student has left the building.
2. The director or his/her designee will notify the parent/guardian.
3. The director will determine, in conjunction with parents and support personnel, whether the student is at risk. Consideration of the student's age, cognitive ability, and emotional state when he/she left the building will determine whether the police should be notified.
4. The Director or designee will notify the sending school district and the Executive Director.
5. If a student meets the runaway criteria as defined above, an incident report will be filed with all appropriate agencies, including the Massachusetts Department of Elementary and Secondary Education.

## **5. RIDING SCHOOL BUS**

Transportation to and from CMC is arranged for and provided by the student's sending school district. The school bus is an extension of the classroom and students riding the school bus are expected to conduct themselves in a manner consistent with the code of conduct and safety and behavior rules. The following safety and behavior rules for pupils riding school buses are published as a guideline for students entitled to transportation by CMC and/or by the sending school district. Transportation providers may devise and employ their own rules and regulations regarding safety and student behavior. School bus drivers have the authority and responsibility to maintain good order while operating the bus. A breach of these rules may result in disciplinary actions and possible loss of busing privileges.

1. Only pupils and school personnel assigned to the bus shall be allowed to ride in a school bus unless permission is granted by CMC or the sending district.
2. Students should be at the pick-up point at the time designated and prepared to get on the bus with the least possible delay in order to keep the bus on schedule.
3. While at a bus pick-up point, students must:
  - Conduct themselves in an orderly manner
  - Stay out of the street
  - Respect nearby private property rights
  - Remain at least eight (8) feet from the bus when it stops to pick up, and move toward the bus only when the door opens
4. Students should ride only the bus to which they are regularly assigned.
5. Students should take seats promptly after boarding the bus and remain in their seats while the bus is in motion.
6. Students shall not open or close windows or emergency doors except when asked to do so by the driver or the bus monitor. Students must keep arms and heads inside the bus.
7. While a passenger on a bus, a student must not:
  - Smoke
  - Throw any objects on the bus or out the windows
  - Disturb the driver or other students
  - Litter
  - Make loud or unnecessary noises
  - Eat food or drink
  - Transport items which may endanger the health or safety of any other passengers
  - Damage or deface any part of the bus
8. Students must remain quiet when approaching a railroad crossing.
9. Students who exit from the bus should pass ten (10) feet in front of the bus and look in both directions before crossing.
10. In the event of a road emergency, students are to remain on the bus unless requested to leave by the driver of the bus.
11. After exiting the bus, students should enter the school building directly for safety purposes.
12. A student who has been issued an identification card by program authorities should carry such a card with him/her at all times and show it when requested.
13. Bus drivers/monitors must report violations of the above rules and regulations to the school official on Bus Conduct Forms. When applicable, riding the bus is a privilege that can be denied temporarily or permanently when the student's behavior warrants it.

## **6. STUDENT LOCKERS**

All lockers available to students are the property of the CMC and students should not have an expectation of privacy in their lockers or contents therein. Use of lockers by students is regulated by the

program administration and all lockers are subject to inspection by the program administration when deemed appropriate. Students must store all cell phones, book bags, gym bags and outerwear (coats and jackets) in their lockers during the school day. For security reasons, students will not be permitted to wear outerwear or carry large book/gym bags with them throughout the school day.

Any weapon and/or drugs or other prohibited items or substances found in a locker in violation of CMC's policy may be considered to be the property of the student assigned to the locker for purposes of disciplinary action under this code.

## **7. VISITORS AND ACCESS TO STUDENTS DURING SCHOOL HOURS**

All CMC visitors must report to the Main Office before proceeding to any program location. This ensures that the program administration knows who is visiting in the building, the reason for the visit, and if the timing of the visit is appropriate. Visitors are permitted at the sole discretion of the director. Any other entry into a school building by visitors will be considered trespassing. Intruders into the building are immediately asked to leave, and if they refuse to do so, local law enforcement officials will be contacted for assistance. Trespassing laws will be enforced in accordance with this policy. To ensure safety of all students during school hours, access to students is limited to custodial parents and authorized personnel only. For further information, contact the building director.

The following persons may be granted access to students during school hours:

1. The custodial parent (the parent with physical custody) or guardian or personnel or agency legally authorized to act on behalf of the child in place of or in conjunction with the father, mother, or guardian. According to Massachusetts General Laws Chapter 71, section 34H, the non-custodial parent must submit a written request to the program director for such access.
2. When appropriate, a student age 14, or upon entering grade 9, may consent to meet with an individual.

The following personnel may be granted access to students in the performance of their official duties:

1. Program Administrators, teachers and counselors who work directly with the students.
2. Administrative office staff and clerical personnel who process information for the student's records.
3. The Evaluation Team from sending districts which evaluates the students.
4. School health personnel when such access is required in the performance of official duties.
5. Appropriate parties including the local police department and the Department of Children and Families in connection with a health or safety emergency, including weapons reports, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
6. Employees of the Department of Social Services who are investigating child abuse cases may be allowed to interview a child without parental consent if it appears that the child may be placed at risk of further abuse by parental notification. This interview may take place in the presence of a teacher or other program professional to provide help and reassurance to the child.
7. Probation Department employees, Department of Youth Services employees, or an employee from the Bureau of Special Investigation on welfare fraud.

If you have any Court restrictions regarding your child, it is imperative that the CMC programs have a copy on record so that we can implement the wishes of the court.

**VISITORS:**

All visitors must enter the school through the front door and check in at the Main Office lobby.

**CRIMINAL OFFENDER RECORD INFORMATION (CORI)**

All school visitors who have not completed a Criminal Offender Record Information (CORI) check must be accompanied by a designated school representative at all times.

**8. USE OF MOTOR VEHICLES**

Students are extended the privilege of bringing automobiles to school as long as they respect the safety of others and obey basic rules. Failure to comply with the safety rules set forth in this policy handbook or specific directives from the building administration may result in denial of use of motor vehicles on school grounds.

1. Automobiles must be parked in the assigned parking areas.
2. Students who leave the campus in motor vehicles during the school's hours without following established dismissal procedures will be suspended.
3. Students must drive slowly and carefully on or near school grounds, always remembering that pedestrians have the right of way.
4. Students must not drive other students to and from school.
5. Cars may not be visited during the school day except with the approval of an administrator.
6. Parking privileges will not be available without an appropriate school registration and parking permit.
7. Parking privileges will be revoked or suspended for the following reasons:
  - a. Speed in excess of 15 m.p.h.
  - b. Any act endangering life or property while on school grounds.
  - c. Parking in prohibited areas.
  - d. Failure to obtain a parking permit

**9. TECHNOLOGY ACCEPTABLE USE POLICY**

The Central MA Collaborative recognizes the value of computer and other electronic resources to improve student learning and enhance the administration and operation of its programs. CMC encourages the responsible use of computers; computer networks, including the internet; and other electronic resources in support of CMC mission and goals.

It is the policy of the CMC to:

- a. prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications;
- b. prevent unauthorized access and other unlawful online activity;
- c. prevent unauthorized online disclosure, use or dissemination of personal identification information of minors; and
- d. comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)]. The CMC system certifies that its schools have adopted and are enforcing Internet safety policies as part of Protecting Children in the 21<sup>st</sup> Century Act. Children's Internet Protection Act (CIPA) as amended in the Broadband Data Improvement Act S. 1492 to include educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.

### Internet Safety

The CMC is in compliance with the Children's Internet Protection Act (CIPA), the Family Educational Rights and Privacy Act (FERPA) and the Children's Online Privacy Protection Act (COPPA). CMC will comply with any additional state and federal regulations that pertain to technology use within CMC and through use of the CMC network infrastructure and servers that is forthcoming from the local, state and federal regulatory agencies.

A third party filtering system is in place that prevents accessing web pages that are 1) obscene, 2) pornographic, or 3) deemed harmful to minors. CMC will monitor the online activities of users. The staff and students are advised never to access, keep or send anything that they would not want made public. While some pages are blocked by human intervention, other sites are blocked based on an algorithm that attempts to discern inappropriate sites. Best efforts are made to make the filtering as accurate as possible given the vast number of websites on the Internet. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

The network, wired and wireless, is for educational uses only. Any non CMC device on the CMC network shall be used for educational purposes only. Non-educational use is prohibited.

### Inappropriate Network Usage

Staff and students should be aware that some material accessible via the Internet might contain items that are illegal, defamatory, inaccurate or potentially offensive. The Internet is to be used for constructive educational purposes only. Drives and files may be reviewed by network administrators occasionally to maintain system integrity.

To the extent practical, steps shall be taken to promote the safety and security of users of the CMC online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: a) unauthorized access, including so-called "hacking," and other unlawful activities; and b) unauthorized disclosure, use and dissemination of personal identification information regarding minors.

### Unacceptable Uses

The activities listed below are not permitted. The list of activities described below is not meant to be comprehensive. CMC reserves the right to make judgments both as to what constitutes inappropriate behavior and the consequences that apply.

- Sending or displaying offensive messages or pictures
- Using obscene language
- Giving personal information, such as complete name, phone number, address or identifiable photo without permission from teacher and parent or guardian
- Harassing, insulting or attacking others (cyber-bullying)
- Damaging or modifying computers, computer systems or network resources, whether physically or through use of software means such as deletion, formatting, viruses, hacking, phishing, cracking
- Violating copyright laws
- Using others' passwords
- Trespassing in others' folders, work or files
- Intentionally wasting limited resources

- Installing any software, shareware or freeware without director approval and installation by on-site contact person
- Employing the network for commercial purposes, financial gain or fraud

### Penalties

Violation of any terms set forth in this policy may result in the loss of CMC computer network privileges, disciplinary action and/or appropriate legal action.

## **10. PARENT/GUARDIAN INVOLVEMENT**

The CMC programs shall invite parents or guardians, annually, to form and/or to participate in a Parents' Advisory Group. The Parents' Advisory Group shall advise the program on matters that pertain to the education, health, and safety of the students enrolled in the program.

The program Administrator shall:

1. Send a letter to all parents and guardians inviting them to participate in the Parents' Advisory Group. This invitation should be sent to all parents/guardians by October 1<sup>st</sup> of each school year.
2. Designate a staff person to support the Parent's Advisory Group.
3. Create a meeting schedule for the year, after the initial advisory group meeting. An invitation to these meetings shall be sent to all parents/guardians two weeks prior to the scheduled date.
4. Request that a copy of the agenda for the Parents' Advisory Group meetings be kept by the staff person responsible for the organization of such meetings.

## **11. REGISTERING COMPLAINTS AND GRIEVANCES**

The CMC is an educational institution that stands on principles of non-discriminatory practices as it relates to all stakeholders. We firmly believe in providing students, parents, and employees opportunities to register and communicate complaints regarding disputed or unresolved matters. We strive to provide students, parents, and employees prompt and equitable resolution of complaints. The CMC fully adopts the policy of non-discrimination based on race, color, national origin, gender, religion, sexual orientation, and disability.

In order to resolve school-related problems, parents and students shall follow this process in case a problem arises:

1. Contact the student's teacher – if not resolved:
2. Contact the building director – if not resolved:
3. Contact the CMC Executive Director at (508) 538-9100 – if not resolved:
4. Petition, in writing, the CMC Board of Directors

## **12. NON-DISCRIMINATION / EQUAL ACCESS**

CMC does not discriminate/exclude students from any program, extracurricular activity, or event sponsored by the CMC. The Collaborative does not tolerate discrimination or harassment in any form.

CMC provides all students with equal access to services, facilities, activities, and benefits regardless of race, color, national origin, sex, gender, gender identity, disability, religion, limited English speaking ability, sexual orientation or homelessness.

## **Addendum A: The Massachusetts Anti-Hazing Law**

### **Section 17.**

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 wilfully 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.

### **Section 18.**

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 such crime shall be punished by a fine of not more than one thousand dollars.

### **Section 19.**

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.

## **Addendum B: CMC Student Bullying Prevention and Intervention Plan**

### **Overview Statement**

The Central Massachusetts Collaborative (CMC) aims to ensure a safe and happy learning environment for all members of the school community. We recognize that bullying does occur, and we work to promote a culture that rejects bullying and provides support to any members of the school community who are bullied. Bullying behavior is recognized as being anti-social and unacceptable. Procedures are outlined in this plan for reporting bullying and responding to incidents.

The CMC also aims to work with students, teachers, families, community members and organizations to raise awareness, encourage reporting, and prevent bullying and to promote the values of tolerance and respect as well as the valuing of difference and diversity. This will be accomplished through public comment periods of the Bullying Prevention and Intervention Plan, parent workshops and presentations.

The policy applies to all members of the school community which includes students, teaching and non-teaching staff, parents/caregivers and visitors to the school.

All members of the school community have responsibility to support and promote these objectives. They also have the right to be involved in ongoing collaboration to develop strategies to support the anti-bullying plan.

### **Definitions**

**Bullying:** The repeated use by one or more students or by a member of a school staff, including but not limited 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 target that:

- i. causes physical or emotional harm to the target and / or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself and / or of damage to his property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school;
- v. materially and substantially disrupts the education process or the orderly operation of the school.

### **Cyberbullying**

Bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications, Cyberbullying shall also include

- The creation of a web page or blog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages, of the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

- The distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more person, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v) inclusive, of the definition of bullying.

### **Aggressor**

A student or member of the school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying, cyberbullying, or retaliation.

### **Target**

A student against whom bullying, cyberbullying, or retaliation has been perpetrated.

### **Hostile Environment**

A situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student's education.

### **Retaliation**

Any form of intimidation (verbal or physical), reprisal or harassment taken against any person who reports or makes a complaint of harassment, intimidation or bullying, or who participates in an investigation of the same.

### **School**

Includes a classroom, on school grounds, property immediately adjacent to school grounds, at a school sponsored or school-related activity, function or program whether on or off school grounds, including at remote learning platforms, at a school bus stop, on a school bus or other vehicle owned, leased or used by the school Collaborative or school, or through the use of technology or an electronic device owned, leased or used by the school Collaborative or school

### **and**

At a location, activity, function or program that is NOT school-related, or through the use of technology or an electronic device that is not owned, leased or used by the school Collaborative or school, if the bullying creates a hostile environment at school for the target, infringes on their rights at school or materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

### **Statement prohibiting bullying for all handbooks and policies**

#### **Prohibition of Bullying, Cyberbullying and Retaliation**

Acts of bullying, cyberbullying, and retaliation are prohibited;

- On school ground, property immediately adjacent to school grounds, at a school sponsored or school-related activity, function or program whether on or off school grounds, including remote learning platforms, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school Collaborative or school, or through the use of technology or an electronic device owned, leased or used by a school Collaborative or school and
- At a location, activity, function or program that is NOT school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school Collaborative or school, if the bullying creates a hostile environment at school for the target, infringes on their rights at school or materially and substantially disrupts the education

process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

### **Procedures for reporting bullying**

Employees are ***required*** to report incidents of bullying.

Employees, students, parents, and visitors, however, **are strongly encouraged** to report *suspected incidents* to their program director and/or appropriate Collaborative administrator either verbally or in writing.

The Central MA Collaborative expects students, parents, guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the Program Director. Any individual who wishes to file such a complaint may request and shall be provided with assistance from a school staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member or with the Program Director.

Each school has available at its office a form to be utilized upon request of a complaining party to initiate an investigation of the incident. Additional forms can be found in the clinicians' office, the school nurse's office and other locations determined to be appropriate by the Program Director. The form will be made available in the primary language of the student's household. (Appendix A, B) A report may be made anonymously, using the anonymous reporting box located inside your school's main entry, the CMC administrative offices at 14 New Bond Street. Anonymous reports can also occur by calling 508 538- 9100

No disciplinary action shall be taken against a student solely on the basis of an anonymous report.

Each school within the Collaborative will include a copy of the Bullying referral form in the Student Handbook which is distributed in the beginning of each school year and upon intake for new students. A copy of the form will also be posted on the school's website.

The Collaborative will take appropriate steps to protect from retaliation persons who take action consistent with the Bullying Policy, or who report, file a complaint of, or cooperate in an investigation of a violation of the Bullying Policy. Threats or acts of retaliation, whether person-to-person, by electronic means, or through third parties, are serious offenses that will subject the violator to significant disciplinary and or other corrective action.

Any person found to have made an intentional false accusation; report or complaint of bullying upon proper investigation will be subject to disciplinary action and/or other appropriate consequences. This may include counseling, education, mediation or other opportunities for problem solving between all parties.

### **Procedures for responding to and investigating reports of bullying or retaliation**

*The program director or the appropriate Collaborative administrator will take specific steps to investigate all complainants of bullying. The program director or Collaborative administrator will use reasonable efforts to initiate an investigation of all reports of bullying within 1 school day and it will be the goal to complete the investigation within 10 school days after its initiation unless circumstances require additional time for the investigation to be completed.*

Upon receiving a report of bullying the program director will confer with the complainant to obtain an understanding and statement of the alleged facts. If, based on the facts alleged, the Program Director determines that the conduct complained of would not constitute bullying as defined by M.G.L. c.71, s370 and Collaborative policies, the Program Director shall document that determination on the Bullying Referral Form and shall take no further action with regard to the complaint. If the Program Director determines that such facts, if true, would constitute bullying, as defined above, the Program Director will immediately initiate the following steps:

1. Contact the Parent/Guardian of the target
2. Contact the Parent/Guardian of the aggressor(s)

The program director shall conduct a factual investigation by means of discussions with the individuals involved, witnesses, if any, review of any documents and other written or electronic materials, etc.

3. Determine if any actions need to be taken to maintain the safety of the target or other witnesses/reporters during the investigation. Such interventions may include, but are not limited to, creating a personal safety plan for the target; pre-determining seating arrangements for the target and / or the aggressor in the classroom, at lunch or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target. The Program Director may take additional steps deemed necessary by the school administration to protect the safety of the target and any witnesses while the investigation is ongoing.
4. Interview reporter
5. Interview target if different from reporter
6. Determine witnesses (if any) and interview
7. Interview the aggressor
8. Identify any adults present, interview
9. Investigate actions by aggressors’ friends or others on his/her behalf
10. Ask about online involvement
11. Question about behaviors which are threatening in the context of bullying but are not explicitly forbidden in the school’s discipline code
12. Determine the merit and the plausibility of the report
13. Prepare a written report and findings
14. Determine if the incident should be reported to Law Enforcement. At any point after receiving a report of bullying, cyberbullying or retaliation, the Program Director will notify the local law enforcement agency if the Program director has a reasonable basis to believe that criminal charges may be pursued against the aggressor or if any MOU with the local police or other law or regulation requires the notice. Notice to law enforcement agencies will be consistent with the requirements of 603 CMR 49.00 and other applicable state and federal laws and regulations pertaining to student records and privacy. In making this determination, the Program Director may consult with the school resource office, if any, and other individuals the Program Director or designee deems appropriate.
15. Notify another school or district as appropriate. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the Program Director or designee first informed of the incident will promptly notify by telephone the Program Director or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

Develop a Response Plan that includes:

- (1) Safety Plan for the target and
- (2) determine disciplinary actions taken against the aggressor for bullying or retaliation (keep in mind that the law states the “disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior”).

Consider referral for the target and aggressor for in-school services such as counseling or the need to involve outside agencies.

Notify the target’s parents of the findings of the investigation, the plan and steps that will be taken to deter any further acts of bullying or retaliation.

Notify the parents of the aggressor(s) of the findings of the investigation, corrective actions, referrals, and/or disciplinary actions that will be imposed.

In notifying the parents of a target or aggressor of an investigation or the Program Director’s findings thereon, the Program director shall maintain the privacy and confidentiality of any individual or child who is not the child of the parents to whom the notice is provided. The Program Director shall ensure that any notice to the parents complies with applicable state regulations including, but not limited to 603 CMR 49.00, and shall not report specific information to the target’s parent(s) about the disciplinary action taken against an aggressor unless it involves a “stay away” order or other directive that the target must be aware of in order to report violations.

*Documented on “Investigation Report” Appendix C*

## **Responses to Bullying**

### **1. Education Skill Building**

In determining the appropriate response to an incident of bullying, cyberbullying or retaliation, the Program director shall consider a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c.71, s.37O(d)(v). Skill-building approaches that the Program Director or designee may consider include, but are not limited to:

- Offering individualized skill-building sessions based on the collaborative’s anti-bullying curricula;
- Providing relevant educational activities for individual students or groups of students; in consultation with counselors and other appropriate school personnel;
- Implementing a range of academic and nonacademic positive behavioral supports to help student s attainment of pro-social ways to achieve their goals;
- Meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home.

### **2. Range of Disciplinary Actions**

*Consequences for confirmed bullying will include referrals, interventions, and /or disciplinary actions as outlined by the Student Code of Conduct.*

If a student has been found in violation of the bullying policy, the Collaborative may impose disciplinary measures and/or corrective action to end and prevent further occurrences of the action(s). The Collaborative will take into account harm suffered by the target(s) as well as any damage to school or

Collaborative property. The nature of the action taken must comply with Collaborative and school disciplinary policies. Any disciplinary or corrective action shall conform to the due process requirements of federal and state law. Action concerning students may include a written warning; classroom transfer, suspension (short- or long-term); exclusion from school-sponsored functions, after-school programs and/or extra-curricular activities; limited or denied access to parts or areas of the building; exclusion, expulsion, referral to law enforcement authorities; adult supervision on school premises; parent conferences; awareness training; empathy development awareness programs; counseling or any other action authorized by and consistent with the Student Code of conduct and/or school disciplinary code. The Collaborative complies with federal and state laws and regulations pertaining to the discipline of students with disabilities.

### 3. Promoting Safety for the Target and Others

Upon determining that bullying or retaliation has occurred, the Program Director shall, in conjunction with relevant school personnel, consider what adjustments or interventions, if any, are needed in the school environment to enhance the target's sense of safety and that of any witnesses. Any such adjustments or interventions to be provided for the target shall be documented in writing in an Individual Safety Plan.

### 4. Monitoring of Interventions

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Program Director or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the Program Director or designee will work with appropriate school staff to implement them immediately.

## **Professional Development**

### 1. Annual staff training on the Plan

Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the Program director or designee will follow upon receipt of a report of bullying or retaliation and an overview of the bullying prevention curricula to be offered at all grades throughout the collaborative. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

### 2. Ongoing professional development

The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G. L. c.71, s.37O, the content of school-wide and district-wide professional development will be informed by research and will include information on:

- Developmentally (or age-) appropriate strategies to prevent bullying;
- Developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- Information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;

- Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
- Information on the incidence and nature of cyberbullying; and
- Internet safety issues as they relate to cyberbullying.
- promoting and modeling the use of respectful language;
- fostering an understanding and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students' skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individual Education Programs (IEP's). this will include a particular focus on the needs of the students with autism or students whose disability affects social skills development.

### **District-wide Anti-Bullying Curriculum**

The Central Massachusetts Collaborative shall implement age and grade appropriate anti-bullying curricula in each grade, inclusive of grades K-12. bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

- Using scripts and role plays to develop skills;
- Empowering students to take action when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;
- Helping student understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
- Emphasizing cyber safety, including safe and appropriate use of electronic communication technologies;
- Enhancing students' skills for engaging in healthy relationships and respectful communications; and
- Engaging student in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan.

Regardless of the specific curricula adopted, the Central Massachusetts Collaborative supports and encourages the use of general teaching techniques that support bullying prevention efforts. Those approaches include:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;

- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

### **Collaboration with Families**

#### Parent Education and Resources:

The Collaborative will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the Collaborative or school. The programs will be offered in collaboration with the Special Education Parent Advisory Council, or similar organizations.

Each year the school will inform parent or guardian of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The school will send parents written notice each year about the student-related sections of the Plan and the school's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats and will be available in the language(s) most prevalent among parents or guardians. The Collaborative will post the Plan and related information on its website.

### **Publication of Policies, Procedures and Information on Bullying**

All student handbooks will refer to and include age appropriate summaries of the Central Massachusetts Collaborative's Bullying Prevention and Intervention Plan and policy on bullying. In addition to the information provided in each student handbook, copies of the Collaborative Plan will be available on the Collaborative's website and in each school's main administrative office, Clinicians' Office, Nurses' Office and in other locations determined to be appropriate by the school administration.

The Collaborative will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the school or Collaborative Employee Handbook and the code of conduct.

## Appendix A: Initial Bullying Report Form

### BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

1. Name of Reporter/Person Filling the Report: \_\_\_\_\_  
(Note: Reports may be made anonymously but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.)

2. Check whether you are the: Target of the behavior \_\_\_\_\_ Reporter (not the target) \_\_\_\_\_

3. Check whether you are a: \_\_\_\_\_ Student \_\_\_\_\_ Staff member (specify role) \_\_\_\_\_  
\_\_\_\_\_ Parent \_\_\_\_\_ Administrator \_\_\_\_\_ Other

Your contact information/telephone number: \_\_\_\_\_

4. If student, state your school: \_\_\_\_\_ Grade: \_\_\_\_\_

5. If state member, state your school or work site: \_\_\_\_\_

6. Information about the incident:

Name of Target (of behavior): \_\_\_\_\_

Name of Aggressor (Person who engaged in the behavior): \_\_\_\_\_

Date(s) of Incidents(s): \_\_\_\_\_

Time When Incidents(s) Occurred: \_\_\_\_\_

Location of Incidents(s)(Be as specific as possible): \_\_\_\_\_

Witnesses (List people who saw the incident or have information about it):

Name: \_\_\_\_\_ Student \_\_\_\_\_ Staff \_\_\_\_\_ Other

Name: \_\_\_\_\_ Student \_\_\_\_\_ Staff \_\_\_\_\_ Other

Name: \_\_\_\_\_ Student \_\_\_\_\_ Staff \_\_\_\_\_ Other

Describe the details of the Incident (Including names of people involved, what occurred, and what each person said, including specific words used) Please use additional space on back if necessary.

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FOR ADMINISTRATIVE USE ONLY

Signature of Person Filling Out this Report: \_\_\_\_\_ Date: \_\_\_\_\_  
(Note: Reports may be filed anonymously.)

## Appendix B: Student Bullying Incident Report

### STUDENT INITIAL BULLYING REPORT FORM

**Date:**

**Time:**

**Reporting Person:**

Name(s) of target(s)

Name(s) of student(s) bullying

Name(s) of witnesses/bystanders

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**Type of Bullying** (check all that apply)

- ☐ Name calling    ☐ Excluded    ☐ Physical contact    ☐ Spreading rumors    ☐ Threatening  
☐ Discriminatory Expressions    ☐ Inappropriate expressions    ☐ Took/damaged possessions  
☐ Cyber    ☐ Texting    ☐ Retaliation

Other (explain)

**Where did the bullying take place:** (check all that apply)

- ☐ Field/playground    ☐ Hallway    ☐ In class with Teacher    ☐ In class without Teacher  
☐ Bus stop    ☐ Bus    ☐ Locker room    ☐ Bathroom    ☐ Line-up area    ☐ Cafeteria  
☐ To/from School    ☐ Out of school incident (explain)

Other:

**People the Target has spoken to about the bullying incident** (check and identify all that apply)

- ☐ Teacher(s)    ☐ Other adult at school    ☐ Parent/Guardian  
☐ Sibling(s)    ☐ Friend(s)

**Incident Report:** (Including names of people involved, what occurred, and what each person said, including specific words used) Please use additional space on back if necessary.

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For Office Use Only

**Repeat Bullying Offender :**

**Target Parent Contact (date and time)**

Referral? ☐ Yes ☐ No

Perpetrator Parent Contact (date and time)

## Appendix C: Investigation Report

### BULLYING PREVENTION AND INTERVENTION INVESTIGATION REPORT

#### INVESTIGATION

1. Investigators(s): \_\_\_\_\_ Position(s): \_\_\_\_\_

2. Interviews:

\_\_\_\_ Interviewed aggressor Name: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_ Interview target Name: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_ Interviewed witness Name: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Date: \_\_\_\_\_

3. Any prior documented incidents by the aggressor: \_\_\_\_ Yes \_\_\_\_ No

If yes, have incidents involved the target or target group previously? \_\_\_\_ Yes \_\_\_\_ No

Any previous incidents with findings of BULLYING, RETALIATION? \_\_\_\_ Yes \_\_\_\_ No

4. [ ] Check box if the target has been bullied or harassed due to membership in a protected class such as:  
(circle or highlight as appropriate)

1. race/color,
2. national origin
1. religion
2. disability
3. gender
4. sexual orientation
5. gender identity
6. citizenship status

If this box is checked, please identify the protected class, report to the Civil Rights Coordinator and follow protocols for response.

Summary of Investigation:

(Please use additional paper and attach to this document as needed)

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## II. CONCLUSIONS FROM THE INVESTIGATION

1. Finding of bullying or retaliation:    \_\_\_ Yes            \_\_\_ No

\_\_\_ Bullying            \_\_\_ Incident documented as \_\_\_\_\_

\_\_\_ Retaliation            \_\_\_ Discipline referral only \_\_\_\_\_

2. Contacts:

\_\_\_ Target's parent/guardian            Date: \_\_\_\_\_

\_\_\_ Aggressor's parent/guardian            Date: \_\_\_\_\_

\_\_\_ Superintendent            Date: \_\_\_\_\_

\_\_\_ Law Enforcement            Date: \_\_\_\_\_ By \_\_\_\_\_

3. Action Taken:

\_\_\_ Think About It Sheet            \_\_\_ Letter of Apology to Target

\_\_\_ Loss of Privileges (specify) \_\_\_\_\_

\_\_\_ Detention (specify duration) \_\_\_\_\_

\_\_\_ Suspension    \_\_\_ Community Service    \_\_\_ Education    \_\_\_ Other

4. Describe Safety Planning: \_\_\_\_\_

Follow-up with Target: schedule for: \_\_\_\_\_ Initial/Date when complete \_\_\_\_\_

Follow-up with Aggressor: scheduled for: \_\_\_\_\_ Initial/Date when complete \_\_\_\_\_

Report forward to Principal: Date \_\_\_\_\_  
(if principal was not the investigator)

Report forwarded to Superintendent: Date: \_\_\_\_\_

Signature and Title: \_\_\_\_\_ Date: \_\_\_\_\_

## **Addendum C: Non-Discrimination and Harassment Policy and Grievance Procedures Under TITLE II, TITLE VI AND TITLE IX**

### **A. Policy.**

It is the policy of the Central Massachusetts Collaborative (“CMC”) not to discriminate on the basis of race, color, religion, national origin, age, sex, gender identity, sexual orientation, or disability. Additionally, CMC does not tolerate harassment based upon race, color, religion, national origin, age, sex, gender identity, sexual orientation, or disability.

CMC is committed to maintaining an environment free of harassment based on race, color, religion, national origin, age, sex, gender identity, sexual orientation, or disability. Harassment by administrators, staff, and support personnel, students, vendors and other individuals at school, or at school-sponsored events, is unlawful and is strictly prohibited.

### **B. Definition of Discrimination and Harassment.**

"Discrimination" includes conduct that excludes a person from participation in, denies an individual the benefits of, or otherwise subjects an individual to different treatment on the basis of race, color, religion, national origin, age, sex, gender identity, sexual orientation, or disability. Harassing conduct involving these bases can be a form of discrimination.

"Harassment" is defined as unwelcome conduct, whether verbal or physical, that is based on: race, color, religion, national origin, age, sex, gender identity, sexual orientation, or disability. Harassment is prohibited by CMC and violates the law. Many forms of harassment have been recognized as violations of civil rights laws including Title II, Title VI, Title IX, and state statutes such as M.G.L. c. 151C.

Examples of 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 conduct 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 CMC; or (ii) creates an intimidating, threatening or abusive educational environment.

CMC takes allegations of discrimination, including harassment, seriously and will respond promptly to complaints. Where it is determined that conduct that violates the law and this policy has occurred, CMC will act promptly to eliminate the conduct and will impose corrective action as necessary, which may include school-related discipline.

### **C. Filing a Complaint.**

To file a complaint alleging discrimination by CMC on the basis of race, color, religion, national origin, age, sex (including sexual harassment), gender identity, sexual orientation or disability or to make

inquiry concerning the application of Title II, Title VI, Title IX, or applicable state laws and their respective implementing regulations, the procedures to be followed are outlined below.

## REPORTING COMPLAINTS OF DISCRIMINATION OR HARASSMENT

### **I. Introduction**

If any CMC student (or parent/guardian on the student's behalf) believes, in good faith, that the student 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 CMC. This may be done informally or formally, as described below.

Teachers or other staff members who observe or receive reports of incidents of discrimination or harassment involving students shall report such incidents immediately to the program director. Administrators aware of discrimination or harassment by any employee shall report such incidents to CMC's Civil Rights Coordinator, listed below, or to the Executive Director.

Please note that while these procedures relate to CMC's 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 or intended to limit CMC's authority to discipline or take remedial action for conduct which CMC deems unacceptable.

### **II. Grievance Procedures**

- 1) Students or parents/guardians who wish to initiate the formal complaint process may put their complaint in writing to their program director. Any program director receiving such a complaint shall immediately forward the complaint to CMC's Civil Rights Coordinator listed below, who will then begin the formal procedure described below.
- 2) Any teacher or other employee who receives a formal complaint of discrimination or harassment shall immediately forward the complaint to the program director. The program director will then forward the complaint to CMC's Civil Rights Coordinator listed below, who will begin the formal procedure described below.

The responsibility of CMC's Civil Rights Coordinator (or other title designated by CMC) is to coordinate CMC's compliance with Title II, Title VI and Title IX, and applicable state laws. CMC's Civil Rights Coordinator is Tammy Murray, Director of Special Education and Itinerant Services.

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

### III. Internal Grievance Procedure

#### 1. INFORMAL RESOLUTION OF DISCRIMINATION AND HARASSMENT COMPLAINTS<sup>1</sup>

Before initiating the formal procedure, the student/parent may try, if possible, to resolve the complaint on an informal basis through discussion. A student or parent can discuss the issue with the staff member involved or the program director.

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

Contact information for program directors and the Executive Director is located below.

#### 2. Formal Resolution of Discrimination and Harassment Concerns:

A student or parent/guardian who is not satisfied with the informal resolution process or who chooses not to participate in the informal resolution process may initiate the formal complaint procedure at any time by putting the complaint in writing to CMC's Civil Rights Coordinator named above.

##### a) Timeframe for Filing a Complaint

Efforts should be made to file complaints within twenty (20) calendar days after the alleged discriminatory practice occurred in order for an expeditious investigation to be conducted. However, CMC will investigate any complaint no matter when it is filed.

##### b) Form of Complaint

The complaint should include:

- the name of the individual making the complaint;
- the name of the individual aggrieved;
- the name of the individual(s) accused of committing the harassing or discriminatory practice;
- the location where the alleged discriminatory practice occurred;
- the basis for the complaint;
- witnesses (if any); and
- the corrective action sought by the complainant.

If the written complaint does not contain this information, CMC's Civil Rights Coordinator will ask the complainant for this information.

##### c) Investigation of Complaint

Promptly after receiving the complaint, CMC's Civil Rights Coordinator will conduct the necessary investigation, including making good faith efforts to gather all relevant information for consideration. In the course of his/her investigation, the Civil Rights Coordinator may 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; interviewing witnesses; and considering relevant documentation. During this process, complainants will

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

have the opportunity to identify witnesses and present other relevant information to the Civil Rights Coordinator conducting the investigation.

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

Barring extenuating circumstances, the Civil Rights Coordinator, will complete the investigation within thirty (30) working days. When more than thirty (30) working days are required for the investigation, the Civil Rights Coordinator shall inform the complainant that the investigation is still ongoing.

After completing the formal investigation of the complaint, CMC's Civil Rights Coordinator shall make a decision on the complaint within fifteen (15) working days and shall inform the complainant and the person(s) against whom the complaint was made of the results of the investigation in writing. If wrongdoing is found, the Civil Rights Coordinator will refer the matter to the appropriate program director or the Executive Director (or his or her designee) for appropriate action, which may include disciplinary action for the individual who engaged in the discriminatory or harassing conduct.

d) Appeal of Civil Rights Coordinator's Decision

If the complainant is not satisfied with the Civil Rights Coordinator's decision, they can appeal the Civil Rights Coordinator's finding to the Executive Director within five (5) school days.

The Executive Director will review the information considered by the Civil Rights Coordinator, collect any additional information he/she believes is necessary to make an informed decision and shall issue a written decision to the complainant and the person against whom the complaint was made.

The Executive Director will make sure that the complaint is handled as quickly as feasible and will strive to complete the investigation within twenty (20) working days.

If the complainant is not satisfied with the Executive Director's decision, or if they do not choose either of the internal resolution processes, they may follow the external grievance procedure described below.

Contact information for the Executive Director and the Program Directors is below:

Susan Farrell, Executive Director <b>Central Administration</b> 14 New Bond Street Worcester, MA 01606 Tel: (508) 538-9100 Fax: 508-854-1689 <a href="mailto:sfarrell@cmassc.org">sfarrell@cmassc.org</a>	Evelyn Marrone, Director <b>Central MA Academy</b> 121 Higgins Street Worcester, MA 01606 Tel: 508-538-9109 Fax: 508-852-5375 <a href="mailto:emarrone@cmassc.org">emarrone@cmassc.org</a>
Daniel Smachetti, Director <b>Central MA Prep</b> 14 New Bond Street Worcester, MA 01606 Tel: 508-538-9103 Fax: 508-854-1347 <a href="mailto:dsmachetti@cmassc.org">dsmachetti@cmassc.org</a>	Daniel Smachetti, Director <b>Hartwell Learning Center</b> 14 New Bond Street Worcester, MA 01606 Tel: 508-538-9104 Fax: 508-854-1348 <a href="mailto:dsmachetti@cmassc.org">dsmachetti@cmassc.org</a>

Evelyn Marrone, Director <b>Recovery High School</b> 121 Higgins Street Worcester, MA 01606 Tel: 508-538-9108 Fax: 508-854-1348 <a href="mailto:emarrone@cmassc.org">emarrone@cmassc.org</a>	Michael Kelly, Director <b>Robert Goddard Academy</b> 14 New Bond Street Worcester, MA 01606 Tel: 508-538-9101 Fax: 508-854-1346 <a href="mailto:mkelly@cmassc.org">mkelly@cmassc.org</a>
Michael Kelly, Director <b>THRIVE</b> 14 New Bond Street Worcester, MA 01606 Tel: 508-538-9105 Fax: 508-854-1348 <a href="mailto:mkelly@cmassc.org">mkelly@cmassc.org</a>	Evelyn Marrone <b>Woodward Day Schools</b> 20 Rockdale Street Worcester, MA 01606 Tel: 508-538-9108 Fax: 508-854-4973 <a href="mailto:emarrone@cmasscollaborative.org">emarrone@cmasscollaborative.org</a>

e) Retaliation

CMC does not tolerate retaliation against any person because he/she complains of discrimination, harassment or assists in an investigation. Intimidation, coercion or any other attempt to interfere with an investigation will not be tolerated.

f) Confidentiality

Information provided during an investigation of discrimination or harassment will be treated as confidential. This means that such information will be shared with others on a need-to-know basis only.

#### IV. External Grievance Procedure

Any student or parent/guardian who chooses not to use CMC's internal grievance procedure or who is not satisfied with the resolution of CMC's internal process may file a complaint with an appropriate state or federal agency.

Any person may also file a complaint with an appropriate state or federal agency at the same time he/she files the grievance during or after use of the grievance process, or without using the grievance process at all. If a complaint is filed with the Office for Civil Rights, it must be filed in writing no later than 180 days after the occurrence of the possible discrimination.

Complaints may be filed with:

The Office for Civil Rights, US Department of Education 8th Floor 5 Post Office Square, Suite 900 Boston, MA 02109-3921 Telephone: 617-289-0111 Fax: 617-289-0150 TTY: 877-521-2172	The Massachusetts Commission Against Discrimination One Ashburton Place Sixth Floor, Room 601 Boston, MA 02108 Phone: 617-994-6000 TTY: 617-994-6196
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To All Parents and Guardians:

The Central Massachusetts Collaborative (CMC) considers the violation of the Weapons Policy found in this handbook to be a serious matter. Please spend some time discussing this policy, as well as other policies located within this booklet with your children.

The policies in this handbook pertain to student actions either on or off the school grounds during school and school-related situations (including transportation to and from school). In addition to the academic year, the policies set forth in the handbook apply to all after-school and summer programs.

The Board of Directors requires that all parents/guardians of students enrolled in the CMC school/program sign the statement below acknowledging receipt of this handbook and return it to their child’s school/program.

As a parent/guardian of a student within the Central Massachusetts Collaborative, I acknowledge receipt of the 2023 - 2024 Policies Handbook for the Central Massachusetts Collaborative.

Student’s Name: \_\_\_\_\_

Program: \_\_\_\_\_

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

\_\_\_\_\_  
**Date**

Central Massachusetts Collaborative students enrolled in secondary school programs are also required to sign below, acknowledging receipt of this handbook and knowledge of the policies contained in this handbook.

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

\_\_\_\_\_  
**Date**