



South Shore Educational Collaborative
75 Abington Street, Hingham, MA 02043
781-749-7518 | 781-740-0784 fax | www.ssec.org

South Shore Educational Collaborative Employee Handbook

REVISED JANUARY 2023

This Employee Handbook sets forth employment policies for Collaborative staff. The Board of Directors expects staff to read this handbook, and use it as a resource for guidance and information.

The policies and procedures in this handbook apply to all employees of the SSEC. However, to the extent that any policy or procedure in this handbook is inconsistent with an applicable collective bargaining agreement, the collective bargaining agreement shall prevail.

The Board of Directors is responsible for working with the executive director, or designees, to review and update the Employee Handbook as necessary. Changes may be approved at any regularly scheduled meeting of the Collaborative Board.

Any employee of the SSEC may suggest changes or additions to the handbook by forwarding those suggestions in writing to the executive director.

The SSEC reserves the rights to modify, revoke, suspend, terminate or change its benefit plans, policies or procedures in whole or in part, at any time. Should changes occur, employees will be informed as soon as possible.

The language used in this handbook is not intended to create, nor is it construed to constitute, a contract between the Collaborative and any one or all of its employees. No employee or representative of the collaborative, other than the executive director or designee, has authority to enter into any employment contract altering an employee's status. Any such employment contract must be in writing.

Noncompliance with the Employee Handbook may result in disciplinary action, up to and including termination. Employees are encouraged to discuss with their program director/coordinator any questions that arise after reading the Handbook.

ACKNOWLEDGMENT OF RECEIPT OF THIS HANDBOOK MUST BE SIGNED AND SUBMITTED TO THE EXECUTIVE SECRETARY/COORDINATOR OF HUMAN RESOURCES FOR FILING IN THE EMPLOYEE PERSONNEL FOLDER.

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Collaborative administrative office information:

75 Abington Street, Hingham, MA 02043 Phone: 781-749-7518 Fax: 781-740-0784

Executive Director:	Michael Losche	x 1618	mlosche@ssec.org
Executive Secretary/ Coordinator of Human Resources	Jill Lawrence	x 1617	jlawrence@ssec.org
Business Manager	Jon Reynard	x1615	jreynard@ssec.org
Benefits:	Diane Baiardi	x1620	dbaiardi@ssec.org
Director of Student Services: Title IX Coordinator	Erin Holder	x 1619	eholder@ssec.org
Payroll:	Kathleen Flaherty	x 1616	kflaherty@ssec.org
Accounts Payable:	Catherine Cole	x 1613	ccole@ssec.org
Accounts Receivable:	Stacy Lemieux	x 1609	slemieux@ssec.org
Administrative Asst: Therapy Services & Professional Dev.	Teresa Kelleher	x 1601	tkelleher@ssec.org
Tech Support/ Maint Dir.	Jim Hurley	x 1534	jhurley@ssec.org
School Resource Officer	Terrance Low	x 1303	tlow@ssec.org

A MESSAGE FROM THE EXECUTIVE DIRECTOR

Welcome to **South Shore Educational Collaborative (SSEC)**, an organization where dedicated personnel educate our students/adults and make a difference in their lives. The SSEC counts on its employees to contribute to its continued growth and success. Whether you are a paraprofessional, a teacher, a therapist, an administrative associate, or a professional working for one of our programs or schools, we value you...your expertise...and the many hours you contribute to helping further the mission of the Collaborative.

The mission of the SSEC is to be responsive to the emerging needs of communities by providing innovative, fiscally sound, high-quality educational programs and services for individuals with special needs. The SSEC is also a public collaborative, governed by a Board of Directors appointed by the school committee of the communities in south shore towns who are members of the organization. The member districts are **Braintree, Cohasset, Hingham, Hull, Marshfield, Milton, Norwell, Quincy, Randolph, Scituate, Weymouth, and Whitman Hanson R.S.D.** At all times, we will maintain high levels of trust with the public school districts and families who have placed confidence in us to educate their children. We will comply with the laws and regulations set forth by the state and federal governments.

The policies and procedures contained in this Employee Handbook are approved by the Board of Directors. The handbook must be read, understood, and used by each employee to guide activities and actions during the period of employment with SSEC. All new employees must review the handbook at the time of hiring and sign the form acknowledging the handbook has been read and understood and will be given the opportunity to ask questions.

We have explained what the SSEC expects from you and what you can expect from the SSEC. While no set of policies will cover all situations that may arise, this document represents our intent and commitment to provide a respectful, safe, and efficient work environment. If you have any questions about the interpretation of the policies you should consult your program director/coordinator.

The Board has authorized the Executive Director to implement and enforce these policies and procedures. It is the Executive Director's role to ensure that these policies and procedures are followed in the assignment of duties and responsibilities of employment. If you have any questions or concerns about any of the provisions in this Handbook, please contact Jill Lawrence or me at the administrative office in Hingham.

The South Shore Educational Collaborative is committed to be an organization of caring professionals with open, transparent communication. Our values - **Safety, Respect, Relationships, Growth** - represent our core belief that all students can learn. Together, as an organization, we will find solutions and continue to provide resources for our members.

I encourage you to read about the history of collaboratives on the following page. The SSEC has earned a reputation for providing high-quality services since its inception in 1979, touching thousands of lives in all aspects of education – from early childhood through adulthood. Each employee contributes directly to that reputation and the growth and success of the SSEC.

I look forward to your participation in assisting us to uphold the mission of SSEC.



Michael Losche M.Ed CAGS
Executive Director

HISTORY OF EDUCATIONAL COLLABORATIVES (PROVIDED BY THE MASSACHUSETTS ORGANIZATION OF EDUCATION COLLABORATIVES)

The passage in 1974 of Chapter 766, the state's special education law, prompted school systems to address the need for inter-district collaboration in the name of economic efficiency and program effectiveness. Responding to these needs, the state legislature enacted Chapter 40, Section 4E in the same year. This act encouraged local school committees to conduct, in concert with educational programs and services to address the demands for special education services. Subsequent legislative actions and Board of Education policy served to strengthen and give impetus to collaboratives to move from single purpose entities to full service organizations that rival the educational service agencies that are found in the majority of states.

In the past, the Board of Education policy statement concluded that educational collaboratives have a potential beyond special education to increase and expand the level of service in regular education, occupational education, staff development, research, and innovative programs.

The state's educational collaboratives currently provide, in the most efficient manner, a host of inter-district services to more than 300 of the local and regional school systems. The range of these services is great. On the basis of the needs of the collaboratives' member school systems, collaboratives provide direct services to students with disabilities, to students in need of gifted and talented programs, to students in need of vocational and occupational training, and to regular education students seeking enriched experiences outside the classroom setting.

In addition, the collaboratives provide services in the form of management, support, cooperative purchasing, student transportation, research, technology development, the implementation of health and safety programs, and professional development. Nearly 6,300 special education students received direct services through these agencies. Over 3,000 regular education students also received aspects of their education in collaborative-sponsored programs.

The success of each collaborative is measured by the effectiveness of its response to the needs of its member school systems. The responsibility of the collaborative is to aid the members in assessing their individual and collective needs and demonstrating through model programs the efficacy of a collaborative venture. The characteristics of the entrepreneurial organization – risk taking and mentoring – must be evident to the member systems at all times.

Educational collaboratives, therefore, must model for member districts the strategies that succeed in today's public sector – the use of effective planning and process tools, conflict resolution skills, and inclusive decision making. The collaboratives' personnel and financial resources must be used to maintain a balance between the funding and support for content and program activities.

In 2012, Massachusetts passed Chapter 43 which is an act to improve the accountability and oversight of education collaboratives. The legislation includes regulations and Department of Elementary and Secondary Education monitoring that will enable educational collaboratives to be more effective partners with school districts and policy makers across the Commonwealth.

INITIAL EMPLOYMENT

It is the goal of the SSEC to support the most qualified and competent staff to work with fellow employees on behalf of those served in programs. In addition to meeting the criteria for knowledge, skills and competency for the position, an applicant being considered for employment is required to:

- ◆ Complete the South Shore Educational Collaborative application for employment form.
- ◆ **Sign an authorization form for a Criminal Offenders Record Investigation CORI and national fingerprint review. An offer of employment will not be confirmed until the SSEC has received confirmation that the results are a finding**

of 'no record' or until the executive director has reviewed the record and determined whether or not to approve the appointment.

- ◆ Provide contact information for reference checks.
- ◆ Produce requested documents, such as original college transcripts, licenses or certifications, as appropriate.

Once an offer of employment has been made, a new employee is provided with a packet of pertinent information and required forms to be completed.

New employees will receive an orientation from the program director or designee on program guidelines and expectations around job accountabilities. Specific goals for the conditional employment period will be established.

New employees are considered to be conditional employees for 90 days, exclusive of the summer period for classroom staff. During this conditional employment period, the program director/coordinator will assess the employee's abilities, attitudes and work habits. Conditional employees may be discharged, suspended or demoted without cause and without recourse to a grievance procedure. A review to determine regular employment status shall take place before the end of the conditional employment period. Thereafter, the standard provision of the collaborative's employment policies shall apply.

Continued employment is subject to satisfactory performance and the collaborative's funding status for the position. Employment in Massachusetts is on an at-will basis; either party may end the relationship at any time.

CONDITIONS OF EMPLOYMENT

The Board of Directors empowers the executive director to establish conditions of employment. The Board approves policies in the Collaborative Employee Handbook.

A. CORI /Fingerprint Requirements

In accordance with the Massachusetts General Laws Chapter 71, Section 38R, employees of the SSEC are subject to a Criminal Offenders Record Investigation (CORI). Investigations are conducted prior to the offer of employment and thereafter, at least every three years. Existence of a criminal record is not an automatic disqualification of an applicant or employee. It does, however, create a higher level of scrutiny. State law prohibits the dissemination of CORI records to any party not certified to receive such information by the Criminal History Systems Board. Additional information regarding your rights and protections is available from the Human Resources Department. The statewide applicant fingerprint identification services (SAFIS) was initiated in February, 2014. All new employees, as well as current employees, are required to complete the fingerprint-based state and national background check at their own expense..

B. Non-discrimination in the Workplace

The SSEC recognizes its legal and moral obligation to provide an environment wherein opportunity for employment is open to all qualified individuals without unlawful discrimination. The SSEC will not discriminate against any employee on the basis of disability, race, color, religious beliefs, national origin, gender, gender identity, sex (including pregnancy), or sexual orientation, marital status, age (40 or older), genetic information, veteran status, mental illness, union activity, political belief, limited English speaking ability, or housing status.

Process for Raising Complaint Alleging Discrimination

The SSEC is committed to providing prompt and equitable resolution of complaints alleging any violation of state and federal laws and regulations protecting individuals from discrimination defined in this policy. Employees are encouraged to bring forth potential workplace issues early in order to prevent damaging and costly consequences. Complaints should be in writing, stating the name and address of the person filing, a brief description and date of the alleged violation, and the parties involved.

An employee may choose to bring a discrimination complaint forward to the immediate program director/coordinator. Program director/coordinator reports the complaint to one of the following individuals located at 75 Abington Street,

Hingham, MA:

Erin Holder, Director of Student Services (Ext. 1619) eholder@ssec.org or

Jill Lawrence, Executive Secretary/Coordinator of Human Resources (Ext. 1617) jlawrence@ssec.org

Any program director/coordinator, when approached by an employee with a complaint of illegal or inappropriate behavior, is required to report the complaint to one of the individuals above and work to develop a plan for proceeding with a prompt investigation. After reviewing the alleged violation and interviewing the parties involved, the investigator will provide a written report of the findings and recommendations. When illegal or inappropriate behavior has been found, the executive director will order remedies to address the issues and work with program management, the complainant(s) and the respondent(s) to implement the plan for corrective action.

Government agencies responsible for investigating complaints of discrimination are:

Massachusetts Commission Against Discrimination (“MCAD”)

MCAD Boston: One Ashburton Place, Room 601, Boston, MA 02108 (617) 994-6000

United States Equal Employment Opportunity Commission (EEOC)

Boston, MA *General Information:* (1-800-669-4000) *Complaints:* (617) 565-3200

C. Substance-Free and Weapon-Free Workplace

In accordance with the Drug-Free Workplace Act of 1988, employers must certify that they will maintain a drug-free workplace. To that end, SSEC employees are prohibited from the use, sale, dispensing, distribution, possession, display or manufacture of illegal drugs and narcotics. Employees are prohibited from the use of alcoholic beverages on collaborative premises or work sites and off-premise use when such activities adversely affect job performance, job safety, or the collaborative’s reputation in the community.

1. Employees will be subject to disciplinary action up to and including termination for violations of this policy. Such violations include, but are not limited to, possessing illegal or non prescribed drugs, and narcotics or alcoholic beverages at work; being under the influence of such substances while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on SSEC premises and work sites. Employees, their possessions, and SSEC-issued equipment and containers under their control are subject to search and surveillance at all times while on SSEC premises or while conducting SSEC business.
2. Employees believed to be under the influence of drugs, narcotics, or alcohol will be required to leave the premises and may be asked to take a drug screening assessment as a condition of continued employment. The Human Resource Department should be notified immediately to arrange safe transit. The incident will be documented and investigated by the proper authorities. Any employee convicted of drug activity in the workplace will be immediately discharged.
3. Any employee who uses legal drugs or narcotics during work and has any reason to expect such use may affect their ability to perform their work must report this fact to Human Resources and or the program director/coordinator. The program director/coordinator and Human Resources Department will make a determination as to whether the employee should be able to perform the essential functions of the job safely and properly.
4. An employee who has a substance abuse problem may be required, as a condition of employment, to satisfactorily participate in a drug or alcohol rehabilitation program at the employee’s expense.
5. Any employee participating in a drug or alcohol rehabilitation treatment program will not be permitted to return to work until certification is presented to the Human Resource Department that the employee is capable of performing the essential functions of the job. Failure to cooperate with an agreed-upon treatment plan may result in discipline up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violation of this or other collaborative policies.

6. The Collaborative will, to the extent feasible, provide continuing awareness programs for the workforce about the harmful effects of drug and alcohol abuse.
7. When the executive director finds it appropriate to do so, the collaborative will use any means appropriate to determine the presence (when suspected) of illegal drugs on collaborative property.

Employees are not permitted to carry weaponry of any kind during working hours or when representing the collaborative. This policy applies while employees are at collaborative work sites, using collaborative vehicles or on collaborative business away from collaborative premises.

D. **Rules Governing Conflict of Interest**

Every employee of the SSEC must be given a summary of the Commonwealth's Conflict of Interest Law prepared by the Ethics Commission and must complete an online training program at www.mass.gov/ethics. **If in doubt** about any perceived, potential or real conflict between the interests of the SSEC and the personal, professional or financial interests of the individual, the employee is advised to **request clarification** from the executive director of the collaborative or the State Ethics Commission (888) 485-4766.

Conflict of Interest highlights:

1. Family considerations; A program director/coordinator or employee cannot be in a position that would require him/her to supervise a member of the immediate family.
2. Employees may not ask for or accept gratuities from any organization or individual who does business or seeks to do business with the SSEC. *See also: Gifts or Payments*
3. Employees may not, either while an employee or after separation of service, disclose information about individuals served by the SSEC or other confidential data or material, gained or learned as an SSEC employee.
See also: Confidentiality
4. Employees may not use or permit others to use SSEC resources for political or private purposes unless specifically authorized by the executive director or designee. Resources that are off-limits for this purpose include, but are not limited to, collaborative staff, office computers, e-mail, voice mail, telephones, fax machines, postage machines, copiers, and company letterhead. *See also: Political Activity, Collaborative Property*
5. Employees must not benefit personally from any acquisitions or purchases by the SSEC.
6. Employees must not take any action that could create an appearance of impropriety, such as rendering services to students, parents of students, or to school districts in Massachusetts by private agreement when such services would normally be contracted through the SSEC without approval and full disclosure. *See also: Outside Employment*
7. Unless you qualify for an exemption, you may **not** have more than one job with the same municipality or county, or more than one job with the state.

E. **Development of Materials, Products and/or Ideas**

Any project or document created, developed or produced by an employee – in any medium – as part of the job-related activities, is the sole property of South Shore Educational Collaborative and cannot be sold, transferred or bartered for without the written consent of the executive director.

Protected property must include the collaborative logo and/or a statement identifying the SSEC as the exclusive owner. Individuals responsible for development of materials, products and/or ideas will be given recognition on materials produced as a result of their efforts. The following information will be displayed: title, developed by: name of individual(s), property of South Shore Educational Collaborative, copyright information, funding source, if other than the collaborative and date.

Examples of protected property include, but are not limited to, videos, audios, podcasts, images, photos, text, program design, design elements, products, software, books, curriculum, training materials, grant proposals and brochures.

F. **Communications Protocols**

Communications in all media must be consistent with collaborative standards. All communications are expected to utilize standardized logo art and high quality visuals, with proper crediting of the collaborative and funders.

The executive director or designee must approve all press releases, advertising, online presence, curricula, publications, brochures and other collateral, and preauthorize their dissemination.

GENERAL POLICIES

A. Safety

SSEC has established a safety committee of staff volunteers to review and recommend procedures that help to ensure safety for students and staff. Procedures for safety during daily operation and emergency situations are available and will be reviewed with employees. These procedures include building security, Violent Critical Incident (VCI) Emergency Response Policy, SSEC Medical Emergency Response Plan and the SSEC Health Care Manual.

The committee has determined that SSEC employees in Hingham or at any public school or community location must follow proper entry and exit procedures. If the employee is assigned a fob or key for a specific entry, the appropriate door needs to be used. If signing in and out of a public building is the policy of the location, SSEC personnel will follow that protocol. In addition, an SSEC and/or appropriate school district identification card needs to be visible at all times.

All employee vehicles will be issued a parking decal which must be clearly visible when entering collaborative property. It should be hung on the vehicle's rear view mirror.

It is the policy of the SSEC to comply with all applicable federal, state and local health and safety regulations and to provide a work environment as free as feasible from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by management or by federal, state or local law. Employees should report to program director/coordinators any unsafe working conditions or defective equipment in order to maintain a safe working environment.

The collaborative encourages periodic review of lifting techniques, stretching exercises, and use of fire extinguishers. In addition, employees should review safety protocols specific to the facility or building where they work. Proactive suggestions for keeping you and your colleagues informed and alert are very welcome and should be shared with your supervisor.

B. Work-Related Injuries/Accidents

Employees of the SSEC are covered by Workers' Compensation Insurance. This policy provides benefits in cases of personal injury (bodily injury or disease) or death arising out of and in the course of fulfilling a work related duty with the SSEC. The following procedure is required for all work-related injuries or accidents:

1. If an injury occurs, IMMEDIATELY notify the program director/coordinator and complete an *Accident/ Incident Report Form* (found in Nursing offices). This form must be hand delivered to Accounts Payable or faxed to the administrative office at: 781-740-0784 **within 24 hours**. Timely reporting is a state requirement.

2. If medical evaluation or treatment is required,

- Proceed directly to the nearest Occupational Health Department or, in an emergency, the nearest hospital.
- Request that the treating physician fax a status report (care provided, plan for returning to work) to the Human Resources Department (781-740-0784).
- Request that the bill for medical evaluation or treatment be sent to the Human Resources Department, 75 Abington Street, Hingham, MA 02043. Once a claim number has been established, subsequent medical bills for treatment resulting from the work-related injury can be forwarded directly to our Workers' Compensation carrier.

3. If an on-the-job injury prevents an employee from being able to work for up to 4 days, the employee will be paid from accrued sick leave. Should the incident require a work absence of 5 or more days, our Workers' Compensation carrier will begin to pay a portion of the employee's salary.

An employee under Workers' Compensation may continue to receive full pay to the extent that the employee can submit a timesheet for the period requesting to draw on accumulated sick leave to make up the difference between our Workers' Compensation benefits and the employee's normal full-time pay. If and when sick leave benefits are exhausted, the employee will be eligible to receive Workers' Compensation benefits only.

C. Non-Smoking Policy

State law prohibits smoking on or in public property. The SSEC prohibits smoking at all of its work sites.

In accordance with the Educational Reform Act of 1993, (or Massachusetts law c. 71, s. 37H) South Shore Educational Collaborative maintains a tobacco-free environment and prohibits the use of tobacco products "within the school buildings, the school facilities or on the school grounds, or on school vans by any individual, including school personnel." Examples of Tobacco products include but are not limited to: cigarettes, e-cigarettes, vapes, juuls, cigars, loose tobacco in a pipe, electronic pipes, chewing tobacco, snuff and dip.

D. Fragrance Sensitivity

Headaches and breathing difficulties have been reported in some sites as reactions triggered by chemicals used for adding 'fragrance' to various products. If a work site is posted as fragrance free, employees and visitors are expected to refrain from wearing scented products. Please check with the nurse at your work location regarding fragrance guidelines at your facility.

E. Appearance and Dress

Employees are representatives of the SSEC to every student, program participant, vendor, donor, visitor and fellow employee whom we meet in the performance of our daily duties. While position and program needs may influence acceptable dress standards, employees should be mindful of the importance of maintaining a professional image through personal appearance (attire, grooming and personal hygiene) as well as words and actions.

Employees must adhere to specific dress codes in the facilities or buildings where an employee works. In the absence of a formal dress code in the facility or building where an employee works, the department or program director will have final say in what is considered business casual, "acceptable and safe dress standards." Clothing that advertises alcohol, tobacco or marijuana are not allowed at SSEC. Each employee should also follow their program specific dress code relative to safety and professionalism.

Any employee who does not meet safe dress standards will be required to take corrective action, which may include leaving the premises. Any work time missed because of failure to comply with this policy will be considered an unexcused absence, and repeated violations of this policy will be cause for disciplinary action.

F. Personal Articles

The SSEC will consider reimbursing employees for clothing and eyeglasses that are damaged by students or adults we serve. All requests for such reimbursements need to be submitted in writing, and documented with an *Accident or Incident Report*, and submitted to the program director for approval within 30 days of the incident.

The SSEC cannot assume responsibility for personal articles (accessory items such as jewelry, watches, etc.) that are damaged, lost and/or stolen. Theft of purses/wallets and content or personal cell phones and other electronic devices are not covered by the SSEC.

G. Technology and Electronic Communication Device Responsible Use Procedures

The South Shore Educational Collaborative (hereinafter the Collaborative or SSEC) supports the use of technology when used in a responsible, ethical and legal manner. It is understood that students, personnel, and contractors (hereinafter "users") will use technology solely for educational purposes

related to the mission of SSEC and in accordance with the Collaborative's Responsible Use Policy.

Technology and electronic communication device (ECD) users are responsible for following this policy when accessing technology in the schools. Rules for conduct and communication apply to internet, network use and the use of any school or personal ECD. This includes, but is not limited to computers, scanners, still and video cameras, cell phones, document cameras, SmartBoards, LCD projectors, iPads, iPods, Kindles, interactive touchscreens and all electronic devices. If inappropriate use is suspected, then both school and/or personal ECDs may be examined by school staff or legal officials. Consequences for inappropriate use of any ECD will be determined based on individual student needs and program's guidelines as taught within their digital citizenry curriculum. Consequences may include, but are not limited to: verbal warning, loss of independent use, termination of technology privileges, and possible notification of law enforcement. Use of non-school ECDs and at non-school locations which violates any of these policies and directly threatens the health and safety of the staff and/or students of SSEC may result in disciplinary action including termination of staff employment. The South Shore Educational Collaborative will cooperate fully with local, state, or federal officials in any investigation related to illegal activities conducted within or through the Collaborative's technology infrastructure.

Personnel of technology will be permitted upon verification of the annual signing of the Technology and ECD Responsibility Use Policy. The program director or designee will maintain signature records, and will be responsible for enforcing the Technology & Electronic Communication Device Responsible Use Policy. The South Shore Educational Collaborative reserves the right to make amendments to the terms and conditions of this policy.

The Massachusetts Public Records Law (MGL c.66 §10) applies to all government records generated, received or maintained electronically, including computer records, electronic mail, video, offsite/cloud storage, and audio files. All books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any Massachusetts government entity is a public record.

Notwithstanding any other provision contained herein, this policy does not supersede the Collaborative's policy regarding student records within the meaning of the Federal Educational Rights and Privacy Act ("FERPA") and the regulations pertaining to student records in the Commonwealth of Massachusetts, including specifically those set forth at 603 CMR 23.00, et seq. The Collaborative abides by FERPA and 603 CMR 23.00, et seq as each pertains to the maintenance of, access to, amendment of and retention of student records.

All internet or ECD activity including sent and received email is and remains the property of the Collaborative and is subject to the requirements of the Public Records Law. G. L. c. 66. Personnel and students shall not have any expectation of privacy with respect to any data on the Collaborative's system. The executive director, technology coordinator and program directors shall have the right to retrieve any information stored on the system at any time.

Appropriate/Inappropriate Use of ECDs

The computer system is not to be used to create or distribute any offensive or disruptive messages. This includes sharing or forwarding any electronic communications that violate this policy (i.e. messages, photos, videos, etc.). Among those considered offensive are any messages that contain sexual implications, slander, racial slurs, gender slurs or insults, or any other comment that offensively addresses someone's age, sex, race, gender identity, sexual orientation, religious or political beliefs, national origin, housing status, marital or familial status or disability. The system will not be used to intentionally transmit or display any kind of sexually explicit image or document. Sexual harassment shall be grounds for dismissal in accordance with the Collaborative's formal policy on sexual harassment.

The Collaborative's technology will not be used to further personal interests such as political, religious, or commercial views, or to send threatening or harassing messages.

Users will not download, store, create, or forward any information regarding explosives or weapons.

Users will not gain access by using another's credentials or attempt to gain unauthorized access to computers, servers, Google workspace accounts, voicemails or other ECD's.

Users will not purposely infect the network or computers with spyware, malware or viruses.

Users will not utilize any keystroke loggers or information grabbing software/device.

Users will not download any unauthorized software, file or program.

Users will not knowingly use the Internet to access bandwidth grabbing programs unless authorized to do so.

Users will not intercept, monitor, broadcast or record audio and/or video without direct consent from all involved parties according to M.G.L. Chapter 272, Section 99 and M.G.L. Chapter 214, Section 1B.

Social Networking

Users will be cautious with text, photos and other digital content that may be displayed on any social networking site.

Access to social networking sites is prohibited through the Collaborative's network/system and ECDs unless under the direction of a teacher or administrative personnel.

SSEC technology will not be used to access or store material that advocates the following materials (includes but is not limited to):

Profane or obscene (pornography) material

Illegal or violent activities

Discrimination towards other individuals or groups

Personal Use

SSEC strongly discourages the use of SSEC technology for personal use, and may take action against an individual user who does use it for personal reasons in a manner which is contrary to this policy.

Occasional personal emails may be permissible, provided that the personal use does not incur additional cost to the Collaborative. Users understand that all messages transmitted or received on the Collaborative's system remain subject to this policy. The executive director and program directors may restrict or prevent the use of the e-mail system for personal matters at any time. Notwithstanding the allowance of an occasional personal email, as a general rule, the Collaborative's internet connection should not be used for personal communications, to engage in commerce, for entertainment or for any other purpose unrelated to the Collaborative's mission and work.

Non-professional internet chatting is prohibited. Collaborative ECDs will not be used to transmit jokes, chain letters, and similar junk emails. Users will promptly delete such junk e-mails received on Collaborative ECDs.

Personal Safety

Users will not use SSEC technology to arrange for non-work or non-school related meetings.

Users will not reveal personal information about themselves or others online. Personal information includes, but is not limited to the following: name, address, profiles, telephone, date of birth, pictures, etc.

Users will promptly disclose to a personnel member any message they receive that is inappropriate or makes them feel uncomfortable.

Users will not harass another person or engage in personal attacks, including those prejudicial or discriminatory in nature following the guidelines of the anti-bullying policy.

Plagiarism and Copyright Infringement

Users will conduct themselves appropriately on the internet and respect the copyrights, software licensing rules, property rights, and privacy of others.

Users will respect the rights of all copyright owners, recognizing that infringement occurs when a person reproduces a work that is protected by a copyright.

Users will not plagiarize; therefore, they should cite all quotes, references, and sources. Acknowledging the source of a copyrighted material does not substitute for obtaining reproduction rights.

Users may reproduce copyrighted works within the limits of fair use, and using proper citation. Fair use is explained at: <http://www.copyright.gov/fls/fl102.html>

Users of the Collaborative's ECDs will not install pirated software. All users should be aware that disseminating illegally obtained/pirated software is a federal offense which is punishable by imprisonment, fine or both.

Return of SSEC-owned ECDs

Upon separation from SSEC, any SSEC-owned ECDs will be returned in condition consistent with its use and age. If an SSEC-owned ECD is not returned to SSEC on the last workday prior to an employee's separation, then funds necessary to replace the ECD may be deducted from the employee's final paycheck upon the written approval of the employee..

Loaner ECDs will be returned in the specified time frame consistent with the condition in which it was received.

Technology and Electronic Communication Device Responsible Use Procedures

Technology provides unique resources to administrative personnel, teachers and students that promote educational excellence. SSEC is committed to helping students and personnel use technology as an effective educational and administrative tool to meet state and national educational standards. Employees will not release student data information unless authorized to do so by their program director/coordinator.

Keeper of the Records

The executive director/executive secretary shall serve as the Collaborative's Keeper of the Records, and shall provide proper care and management of Collaborative records including records created or maintained on a technology or communication device.

All SSEC documents shall be retained for the periods outlined in the statewide document retention schedule established by the office of the Massachusetts Secretary of State, to the extent not superseded by FERPA and/or 603 CMR 23.00,. Any questions concerning records retention should be referred to the Keeper of the Records or the Collaborative's administrative offices.

SSEC System Security

All students, personnel, and contractors (users) will take reasonable precaution to protect their passwords and prevent other persons from using the Collaborative's computer systems. All users are responsible for their individual accounts.

All users will maintain strong passwords for their Collaborative accounts. Periodic changing of passwords is strongly recommended and may be required.

Users will not disseminate any Collaborative data including but not limited to passwords, codes, telephone numbers, account numbers, grades, student records, medical information or other individuals' documents to unauthorized persons.

If a security breach is suspected, the user will immediately contact their teacher, the program director, or technology coordinator.

The Collaborative reserves the right to monitor all online and ECD activity at any time. As a condition of the use of the Collaborative's systems, all personnel and students consent to the Collaborative's monitoring and disclosure of email, network activity and use of the Collaborative's ECDs.

Users will conform to procedures established by the Collaborative to minimize the risk of viruses or any other corruption of the Collaborative's computer system.

If a user inadvertently accesses inappropriate material, he/she should immediately notify his/her teacher, program director, or administrator, thereby avoiding an allegation of the intentional violation

of the Technology and ECD Responsible Use Policy.

Litigation

Once the Collaborative is subject to or reasonably foresees that it will become involved in litigation, it shall preserve relevant documents, electronic information and other materials and shall consult promptly with legal counsel. Sanctions may be imposed both against the Collaborative and against an individual in the event that documents relevant to litigation are destroyed. Any documents, including emails that pertain to current, pending, threatened or anticipated litigation should be held indefinitely, or until the Collaborative's legal counsel confirms that the documents may be destroyed. Anticipated litigation is where the Collaborative is aware that legal proceedings may be commenced against it for any reason.

In the event that the Collaborative becomes aware of potential or actual litigation, a Litigation Hold Notice will be issued by the executive director and his/her designee based upon currently available information. The Litigation Hold Notice will:

Identify the information, including electronically stored information, that may be relevant to the litigation;

Identify those persons who may have relevant documents, electronic information or other materials in their possession;

Identify all locations and storage media of such materials. With respect to electronic information, such locations may include but are not limited to any ECDs, network servers, email servers, storage devices, offsite/cloud storage, remote computers with network connections, CDs, DVDs, memory sticks and other portable storage devices;

Notify all Collaborative employees of steps which they must take to preserve electronic data, such as requesting segregation, removal or exchange of computers or hard drives and the copying or cloning of drives;

Notify the Technology Director of steps which the information services department must take to preserve electronic data, including preserving backup data;

Identify the duration of the Litigation Hold and identify how employees will be notified when the Litigation Hold has been canceled or removed.

Home or Personal ECDs

Home or personal ECDs used for email, documents, and other Collaborative-related business are subject to examination and searches in the event of litigation. These materials are public records and all employees will be responsible for the appropriate retention of these records.

H. On-site Visitors

While the SSEC encourages the involvement of parents and community members in the education of enrolled students, the SSEC has a duty to protect the safety and confidentiality of its students, as well as to ensure that the educational process is not unnecessarily disrupted. As a result, certain rules and procedures must be followed to ensure that visits are beneficial to the visitors and not harmful to the students or the educational process. The SSEC ensures that all parents/designees have ample opportunity and proper access to observe their child's current or proposed special education program. This policy is in accordance with Massachusetts General Laws, Chapter 71B, Section 3.

Parents/designees are welcome to visit SSEC programs for purposes of conference, IEP meetings, brief visits, or observations. Brief visits by parents, guardians and caretakers, for the purpose of dismissing a student, bringing in medications, dropping off forgotten lunches, gym clothes, etc. need not be pre-arranged; however, such visitors may not be allowed beyond the main office depending on the building policy.

Parents/designees and visitors are allowed to observe for reasonable extended periods through pre arranged appointments. Typically, 1-2 hour observations will be scheduled. When a parent, advocate, college student or professional from an educational organization requests to observe a classroom or program, the program director or designee will accompany the visitor. If the visitor is approved for a single observation and will be accompanied by a South Shore Educational Collaborative employee, a criminal offender record information (CORI) investigation will not be required. The visitor will sign a confidentiality agreement. However, if a person will be visiting on more than one occasion, a CORI investigation will be completed. **If a person is observing a specific student, the parent, special education administrator or out of district liaison of the student will be notified in advance of the observation. This will provide the opportunity for team members to express any concerns regarding the proposed observation.**

All visitors to the SSEC programs in Hingham, or member school districts, must report to the main office upon entrance into the building. All visitors whose destinations are other than the main office must sign in, noting the time of their arrival and identify the location and purpose of their visit. These visitors must wear a visitor badge at all times while in the program. The program director will designate a staff member to escort visitors to their appropriate destination.

Upon completion of their pre-arranged meetings, visits, or observations, all visitors shall proceed directly to the main office. They must sign out, noting the time of departure, and return the visitor badge. Visitors may not proceed to any areas of the building other than the designated locations of their meetings, visits, or observations without first returning to the main office and obtaining the program director's approval to access other areas of the program.

Interior and exterior video surveillance is in effect at the Hingham location 24/7. Video surveillance at satellite locations may be in effect in accordance with that location's policies and procedures.

I. Domestic Violence Leave Policy

It shall be the policy of the South Shore Educational Collaborative ("SSEC") to permit an employee to take up to 15 days of domestic violence leave from work in any 12 month period. In order to be eligible for said leave:

- (i) the employee, or a family member of the employee, must be a victim of abusive behavior;
- (ii) the employee must be using the leave from work to: seek or obtain medical attention, counseling; victim services or legal assistance; secure housing; obtain a protective order from court; appear before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings; or address other issues directly related to the abusive behavior against the employee or family member of the employee; and
- (iii) the employee must not be the perpetrator of the abusive behavior against such employee's family member.

The following definitions apply to this policy:

Abuse: attempting to cause or causing physical harm; placing another in fear of imminent serious physical harm; causing another to engage involuntarily in sexual relations by force, threat or duress, or engaging or threatening to engage in sexual activity with a dependent child; engaging in mental abuse, which includes threats, intimidation or acts designed to induce terror; depriving another of medical care, housing, food or other necessities of life; or restraining the liberty of another.

Domestic Violence: abuse against an employee or an employee's family member by a current or former spouse; a person with whom the victim shares a child in common; a person cohabitating with or who has cohabitated with the victim, a person who is related to the employee by blood or marriage, or a person with whom the employee or family member has or had a dating relationship.

Abusive Behavior: any behavior constituting domestic violence, stalking, sexual assault or kidnapping.

Family Member: parent, step-parent, child, step-child, sibling, grandparent and grandchild; persons in a substantive dating or engagement relationship and who reside together, persons having a child in common regardless of whether they have ever married or resided together, and persons in a guardianship relationship. Except in cases of imminent danger to the health or safety of an employee, advanced notice of domestic violence leave shall be required.

If such imminent danger exists the employee shall notify SSEC within 3 workdays that the leave was taken under this policy. The notification may be communicated to SSEC by the employee, a family member of the employee, or the employee's counselor,

social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior.

SSEC may require documentation evidencing the need for leave consistent with this policy. SSEC shall not require, however, evidence of an arrest, conviction or other law enforcement documentation for such abusive behavior. The documentation shall be provided to SSEC within a reasonable period after SSEC requests it. An employee shall satisfy this documentation requirement by providing anyone of the following documents:

1. a protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction as a result of abusive behavior against the employee or employee's family member;
2. a document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the employee or family member;
3. A police report or statement of a victim or witness provided to police documenting the abusive behavior;
4. documentation that the perpetrator of the abusive behavior has admitted to sufficient facts to support a finding of guilt ; or has been convicted of , or has been adjudicated a juvenile delinquent by reason of any offense constituting abusive behavior;
5. medical documentation of treatment as a result of the abusive behavior;
6. a sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, , shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior;
7. a sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been a victim of or is a family member of a victim of abusive behavior. The above documents will be maintained in the employee's personnel record by SSEC only for as long as required to make a determination as to whether the employee is eligible for leave under this policy. All information related to the employee's leave shall be kept confidential and shall not be disclosed, except to the extent that disclosure is:

- (i) requested or consented to, in writing, by the employee;
- (ii) ordered to be released by a court of competent jurisdiction;
- (iii) otherwise required by applicable federal or state law;
- (iv) required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the Attorney General; or
- (v) necessary to protect the safety of the employee or others employed at the workplace.

If an unscheduled absence occurs, SSEC shall not take any negative action against the employee if the employee, within 30 days from the unauthorized absence or within 30 days from the employee's last unauthorized absence in the instance of consecutive days of unauthorized absences, provides any of the documentation found in (1) to (7) above.

J. All Purchases

All purchases require a pre-approved purchase order.

EMPLOYEE CONDUCT

Employees of the SSEC have an ethical responsibility under the federal code of conduct for maintaining high standards for honesty, integrity, impartiality, and discretion to assure proper performance of the collaborative's business and the maintenance of confidence among those we serve.

A. Respecting Boundaries

When working with students, employees must adhere to appropriate boundaries to preserve the "teacher"/student relationship. As powerful role models in terms of molding attitudes and behavior, staff must always be alert to the fact that their actions and words, in and out of the classroom, are making an impression. Employees are caring educators, not the student's friend or big sister/brother. Extracurricular activities with students outside of normal school hours must have prior approval of the program director/coordinator. Personal involvement with students beyond the bounds of proper job performance is prohibited. It is never appropriate to invite students to a staff person's home or property. Conduct that violates this code will not be condoned by the SSEC. Employees are expected to adhere to this policy following a separation of service from SSEC.

When working with co-workers, employees need to be sensitive to boundaries as well. It is the expectation of our collaborative to create an environment that encourages respect, safety and acceptance of diverse perspectives. Conflict among co-workers should be avoided as much as possible, e.g., don't gossip, don't share too many of your personal opinions about controversial topics, and steer clear of highly personal and sensitive matters in the workplace. If conflict does arise, deal with it immediately. Diagnose intercultural communication problems within a work group; recognize verbal and nonverbal aspects of communication that can lead to misunderstandings and miscommunication. All employees need to master the ability to complete work effectively, efficiently and in cooperation with others. Program directors, the Human Resources Department and our Employee Assistance Program can be effective partners in dealing with boundary issues or conflict situations.

B. Harassment Policy

It is the policy of The South Shore Educational Collaborative (“SSEC”) to maintain a learning environment that is free from harassment or discrimination of any kind, including sex-based harassment. It is a violation of this policy for any member of the school community to harass or discriminate against another individual as outlined in SSEC’s Policy & Procedure for Non-Discrimination and Anti-Harassment Except for Title IX. Sexual harassment will be addressed through a separate Title IX procedure/policy, but sex-based harassment or discrimination will be addressed through SSEC’s Policy & Procedure for Non-Discrimination and Anti-Harassment Except for Title IX. Any allegation of harassment or discrimination will be investigated, and, if a violation of this policy is substantiated, disciplinary action will be taken. All reports of harassment or discrimination shall be investigated promptly, impartially and in a manner which will preserve the confidentiality of all concerned to the extent practicable under the circumstances.

Any employee, student or third party who believes that he or she has experienced harassment or discrimination on the basis of his or her actual or perceived race, color, creed, ethnicity, religion, national origin, sex/gender, homelessness, disability, sexual orientation, gender identity or age or who has witnessed or learns about the harassment or discrimination against, another person in the school environment, should inform the Program Administrator of the relevant program or appropriate discrimination/harassment complaint official immediately or as soon as possible. For complaints based on sexual harassment, please follow the SSEC’s Title IX policies and procedures. SSEC further does not deny equal access to or a fair opportunity to meet, or discriminate against, any group officially affiliated with the Boy Scouts of America, or any other youth group listed in Title 36 of the United States Code as a patriotic society

Harassment and discrimination is banned not just at school, during school hours, but also before or after school hours on all school property, including the school bus, school functions, or at school events held at other locations. The policy also applies to any off-campus conduct that causes or threatens to cause a substantial and material disruption at school, or interferes with the rights of students or employees to be free from a hostile school environment taking into consideration the totality of the circumstances on and off campus.

Harassment and discrimination create an intimidating, hostile and offensive work environment and will not be tolerated. Such behavior will result in disciplinary action up to and including termination. Employees are trained on SSEC’s Sexual Harassment/Title IX Policy & Procedure and SSEC’s Policy & Procedure for Non-Discrimination and Anti-Harassment Except for Title IX.

1. Definition of Sexual Harassment

The legal definition for sexual harassment is this: “sexual harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

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

Under these definitions, direct or implied requests by a program director/coordinator for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and, in addition to the above examples, other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work place environment that is

hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

2. Harassing Behaviors

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

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

Harassment can occur in a variety of circumstances. For example:

- The victim as well as the harasser may be of either gender. The victim does not have to be of the opposite sex.
- The harasser can be the victim's program director/coordinator, an agent of the employer, a program director/coordinator in another area, a co-worker or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.

Retaliation in any form for the filing of a complaint, the reporting of discrimination, including harassment, or participating in an investigation is prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. If retaliation is established, it can be considered grounds for disciplinary action. Any allegations of reprisal will be subject to the same kind of investigation and disciplinary action as described above. The Program Administrator or the discrimination/harassment complaint official will inform all involved individuals that retaliation is prohibited, and that anyone who feels they have experienced harassment, coercion, intimidation, or discrimination for filing a complaint or participating in the resolution process should inform the Program Administrator or the discrimination/harassment complaint official.

3. Process for Raising A Complaint Alleging Unlawful Harassment:

Each employee must keep the workplace free of unlawful harassment. If an employee is being harassed, he/she should tell the harasser to stop and that the advances, comments, or gestures are unwelcome and offensive. If the conduct does not stop, the employee should:

- a. Report the complaint to the immediate program director/coordinator or if the employee is uncomfortable with the program director/coordinator, then to
Executive Secretary/Coordinator of Human Resources (781) 749-7518, (Ext. 1617) or
Director of Student Services (Ext. 1619) .
- b. The incident will be promptly and thoroughly investigated by management.
- c. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.
- d. Upon completion of the investigation, a determination will be made by management regarding resolution of the case. To the extent appropriate, the employee filing the complaint and the person alleged to have committed the conduct would be informed as to the results of the investigation.
- e. If the investigation substantiates the complaint, the employer will take action to correct the situation, including, where appropriate, disciplinary action up to and including termination.
- f. If the investigation reveals that a false accusation was made, the parties involved will be subject to disciplinary action up to and including termination.

3. Government agencies responsible for investigating complaints of harassment are:

Massachusetts Commission Against Discrimination (“MCAD”)

MCAD Boston: One Ashburton Place, Room 601, Boston, MA 02108 (617) 994-6000

The time period for filing a claim with the MCAD is 300 days.

United States Equal Employment Opportunity Commission (EEOC)

One Congress Street, 10th Floor, Boston, MA 02114 (800) 669-4000

The time period for filing a claim with the EEOC is 180 days

C. Bullying or Retaliation in Schools [MGL Chapter 71, Section 370(g)] and at Work

Please reference the full Bullying Prevention and Intervention Plan in the Appendix of this SSEC Employee handbook.

Bullying is prohibited at school, adjacent to school, off school grounds, at school-sponsored activities, in school vehicles, at school bus stops or from any location through the use of technology and electronic devices (cyber-bullying). Retaliation is prohibited against someone who witnesses, reports or provides information related to bullying.

Bullying under the Massachusetts Anti-Bullying law is defined as the repeated use by a student of written, verbal or electronic expressions, or physical acts or gestures, directed at another student that may:

- (a) Cause physical or emotional harm to the victim, or damages to property;
- (b) Cause the victim to have a reasonable fear of harm or damage to property;
- (c) Create a hostile environment for the victim at school;
- (d) Infringe on the victim’s rights at school; or
- (e) Substantially disrupt the educational process or the school.

The law mandates that school personnel who become aware of bullying or retaliation report it immediately to a program director/coordinator. Program director/coordinators must be familiar with this law and prepared to conduct an investigation and follow mandated procedures regarding notifications and discipline if findings of bullying or retaliation are substantiated. The SSEC has developed a Prevention and Intervention plan.

REPORTING REQUIREMENTS

The bullying legislation imposes mandatory reporting requirements for all members of the school staff to immediately report any instance of bullying or retaliation. Staff members must report incidents, which they have either witnessed or become aware of, to the Director, the clinician, or both. The form identified as the “South Shore Educational Collaborative Bullying Prevention and Intervention Incident Reporting Form” can be found in the appendix section of this Bullying Prevention and Intervention Plan. A copy of the reporting form will also be available in the following locations: Student Handbook, Main office of each Program, Clinicians’ Offices, Nurse’s Office, SSEC Website, and included in annual paperwork.

Anyone can report a bullying or retaliation incident, including students, staff, parents or guardians. Reports may be made in writing or orally to the Director or another staff member. Reports may also be made anonymously to the director of each program, or to Executive Director, at 781-749-7518 ext. 1618. However, no disciplinary action shall be taken against a student on the basis of an anonymous report. In the case that the Program Director or Assistant Director is the perpetrator of the alleged bullying, the report would be submitted to the Executive Director. If the Executive Director is the perpetrator of the alleged bullying, the report is submitted to the Board of Directors. Contact information is included on the SSEC website.

Data Reporting

Every Program Director will submit data regarding alleged and confirmed incidents of bullying and the response and interventions. This information will be submitted annually by the close of the school year, to the Executive Director who will submit a compilation of the data to the Department of Elementary and Secondary Education.

INVESTIGATION, DISCIPLINARY POLICIES, AND SPECIAL CONSIDERATIONS

1. Safety:

Before fully investigating the allegations of bullying or retaliation, the program director or the designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents.

The program director or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

2. Obligations to notify Others

- a. Notice to parents or guardians. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. Notice to Another School or District. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
- c. Notice to Law Enforcement. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency.

3. Investigation

The program director or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. During the investigation the program director or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. Interviews may be conducted by the program director or designee, other staff members as determined by the program director or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the program director or designee will maintain confidentiality during the investigative process. The program director or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the program director or designee will consult with legal counsel about the investigation.

Determinations

The program director or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the program director or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The program director or designee will:

- 1) determine what remedial action is required, if any, and
- 2) determine what responsive actions and/or disciplinary action is necessary.

The program director or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the program director or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

The program director or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

4. Responses to Bullying

SSEC's strategies for students' skill building, and other individualized interventions that may be taken in response to remediate or prevent further bullying and retaliation are as follows:

- a. Teaching Appropriate Behavior Through Skills-building
- b. Taking Disciplinary Action
- c. Promoting Safety for the Target and Others

Confidentiality

Confidentiality should be maintained throughout the reporting, investigation, and disciplinary process. Confidentiality will be used to protect anyone who reports bullying or retaliation, who provides information during an investigation, or who is witness to or has reliable information about an act of bullying.

Special Education

As required by M.G. L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines that a child has a disability which affects “social skills development” or the student is “vulnerable to bullying, harassment or teasing because of the child’s disability,” the Team will determine what to include in the IEP to address the skills and/or proficiencies needed to avoid and respond to these issues. Cognitively appropriate resources will be used with special education students to assist in teaching bullying prevention and intervention skills.

Internet & Electronic Communication Device Use

The South Shore Educational Collaborative has an Acceptable Use Policy (AUP) that guides the use of electronic communication devices and other technologies in the district. The AUP will be reviewed annually to ensure that the content of the AUP reflects the rapidly changing technologies and related safety concerns. All students, employees, and parents will be notified of the policy and will be required to sign the AUP.

SUPPORT FOR STUDENTS AND FAMILIES

The South Shore Educational Collaborative is committed to ensuring that our students and staff feel safe and supported within the school community. The SSEC will continue to work with students, staff, parents and guardians alerting all to the need for more heightened observation of bullying behaviors.

The school or district expects students, parents or 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 or designee, or Executive Director or designee when the program director or assistant program director is the alleged aggressor. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a 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 or designee, or Executive Director or designee when the program director or assistant program director is the alleged aggressor.

The program director or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

When deemed appropriate by the director, the SSEC will provide counseling or other support for both aggressors and targets. The SSEC will also assist students and families with access to both school and community resources.

Hazing – The Act Prohibiting

The Practice of Hazing, MGL Chapter 269, §17-19 is upheld at SSEC. Individuals responsible for any group or organization, distributes a copy of the law and informs all participants that hazing is prohibited. The SSEC does not provide after school sports programs, clubs or groups that would be likely to experience hazing activity. However, it is important to know that hazing is prohibited at any activity, group or organization that is part of the SSEC.

D. Mandated Reporting of Abuse and Neglect

Employees of the Collaborative are mandated reporters of suspected abuse and neglect of a child. Anyone who sees evidence of possible abuse or signs of neglect, or who learns about an incident of abuse from the victim or a witness, should immediately notify a program director/coordinator, or a nurse. Program directors/Coordinators must be familiar with **MGL Chapter 119, Section 51A** and prepared to follow mandated reporter procedures. Procedures can also be found in the SSEC Health Care Manual. Employees are further required to report suspected abuse against or by another

employee. Any concerns should be reported immediately to the Program director, Human Resource Department or the Executive Director.

E. Confidentiality

Any information pertaining to employees, to the operation of the collaborative, to students and others served by the collaborative, which is received or learned by an employee in the course of employment, must be maintained in confidence. Further, employees must adhere to all state and federal laws and regulations regarding the confidentiality of student and employee records or information. Requests for the release of student records or information must be referred to the program coordinator or director. Requests for information about an employee should be referred to the Human Resources Department. This does not preclude program directors/coordinators, if asked, from giving personal references for employees. Finally, every employee is required to be familiar with the definition of confidential personal information.

F. Work Performed Outside of Collaborative Employment

Employees considering an employment or consulting opportunity that is “in addition to” their regular job with the SSEC must certify to the executive director, if requested, that they are not in conflict with the following policy stipulations.

Outside employment/consulting must not:

1. interfere with the efficient performance of the employee’s duties;
2. constitute a conflict of interest with the employee’s duties;
3. be in competition with the work of the SSEC, e.g., could have been a source of revenue for the collaborative;
4. involve the performance of duties that the employee performs as part of employment with the SSEC;
5. involve personal remuneration for materials developed as an employee of the SSEC;
6. occur during the employee’s regular working hours.
7. constitute a conflict of interest with the goals, mission or activities of the SSEC;
8. involve confidential information related to the SSEC.

G. Reporting of Arrests or Violations

If an employee is arrested, the incident must be reported on the next working day to the program director/coordinator, who must notify the executive director. The executive director may authorize the employee’s immediate suspension until such time as an investigation discloses that the charge is not prejudicial to the best interest of the SSEC.

Employees who drive collaborative vehicles or who regularly transport students must report any kind of moving vehicle violation to their program director/coordinator immediately following the violation.

H. Public Statements / External Communications

Communication with outside sources could easily become confused or cross purposes.

The executive director, unless otherwise delegated, has the sole responsibility for handling public statements to the media and speaking with the press (reporters for local or national publications) on issues pertaining to the SSEC. All appearances by an employee as a representative of the SSEC or professing to speak on behalf of the SSEC must be authorized and cleared with the executive director. Press releases or speeches that propose to represent a position of the SSEC on issues or policies must be cleared with the executive director.

Communication with other outside sources regarding the business of the SSEC should be coordinated through the office of the executive director, unless otherwise delegated. Communication is defined liberally to include face-to-face meetings, phone conversations, written statements on collaborative letterhead, e-mail, etc. The outside sources referred to in this policy include, but are not limited to:

- Legislators, state or federal representatives or senators
- Members of the collaborative’s governing board
- State or Federal officials
- Funding sources
- State commissioners or similar personnel at the administrative policy level.

This policy is not intended to preclude employees from expressing their views as individuals on matters of interest to them. It is only intended to assure that persons authorized to do so are representing the SSEC in the public view. This policy is

also not intended to hamper employees who are involved in specific work-related activities with an outside source. Employees are encouraged to request clarification from the executive director if needed.

I. Gifts or Payments

Employees (including volunteers), members of an employee's immediate family and board members are prohibited from accepting gifts or gratuities with a value in excess of \$50 from persons in a position to benefit from programs of the Collaborative or from doing business with the Collaborative. Anyone with a question regarding the offer of a gift should request clarification from the executive director of the Collaborative or the State Ethics Commission. At no time may collaborative employees exchange personal checks for cash from donations, fees, petty cash or any other collaborative cash.

J. Soliciting

Employees are prohibited from direct verbal or electronic solicitation of co-workers or individuals served by the SSEC for purchase of chances, raffle tickets, products, goods or political contributions/activity during their regular working hours or their non-working time during those regular working hours. The only exceptions to this policy are promotions sponsored by the SSEC or solicitations with approval of the executive director.

Outside parties are prohibited from direct solicitation of collaborative employees or distribution of literature on SSEC properties during regular working hours or non-working time during those regular working hours. No employee is allowed to solicit any local business entity for donations to the SSEC or any of its programs, without first getting clearance from the executive director.

K. Political Activity

Employees are not allowed to engage in any form of political activity or political influence during their regular working hours or non-working time during those regular working hours.

L. Whistleblower Policy

The SSEC is committed to the highest possible standards of ethical, moral and legal business conduct. In line with this commitment and the collaborative's commitment to open communication, this policy aims to provide (1) an avenue for employees to raise concerns and (2) reassurance that they will be protected from reprisals or victimization for whistleblowing in good faith.

1. Definition

The whistleblowing policy is intended to cover serious concerns that could have a large impact on the collaborative, such as actions that:

- May lead to incorrect financial reporting;
- Are unlawful;
- Are not in line with collaborative policy, including the Code of Conduct; or
- Otherwise amount to serious improper conduct.

Every effort will be made to protect the complainant's identity.

The policy encourages employees to put their names to allegations because appropriate follow-up questions and investigation may not be possible unless the source of the information is identified. Concerns expressed anonymously will be investigated, but consideration will be given to:

- The seriousness of the issue raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

Harassment or victimization of the complainant will not be tolerated.

Malicious allegations may result in disciplinary action.

2. Process for Raising a Concern

- a. **Reporting** - The whistleblowing procedure is intended to be used for serious and sensitive issues. Serious concerns relating to financial reporting, unethical or illegal conduct should be reported to one of the following individuals, designated to coordinate the efforts of the organization to comply with this policy. Each is located at 75 Abington Street, Hingham, MA, 02043 and can be reached by phone (781-749-7518) or e-mail:
Executive Secretary/Coordinator of Human Resources (Ext. 1617)
Director of Student Services (Ext. 1619)
- b. **Timing** - The earlier a concern is expressed, the easier it is to take action.
- c. **Evidence** - Although the employee is not expected to prove the truth of an allegation, the employee needs to demonstrate to the person contacted that there are sufficient grounds for concern.

3. How the Allegation Will Be Handled

The action taken will depend on the nature of the concern. The collaborative Board of Directors will receive a report on each allegation and a follow-up report on actions taken.

- a. **Initial inquiries** will be made to determine whether an investigation is appropriate, and the form that it should take. Some concerns may be resolved by agreed action without the need for investigation.
- b. **Follow-up** with the employee on the concern will be provided in two weeks:
 - Acknowledging that the concern was received;
 - Indicating how the matter will be dealt with;
 - Giving an estimate of the time that it will take for a final response;
 - Telling whether further investigations will follow, and if not, why not.
- c. **Further follow-up** and the amount of contact between the employee and the body investigating the concern will depend on the nature of the issue and the clarity of information provided. Further information may be sought from the complainant. Subject to legal constraints the employee will receive information about the outcome of any investigations.

TRAINING & DEVELOPMENT

Training is an ongoing part of employment. All employees are expected to participate in training activities from time to time, and are encouraged to avail themselves of professional development opportunities.

A. Orientation

The Collaborative will conduct an orientation for new employees. In addition, new employees will receive orientation from the program director/coordinator or designee on program policies and job-related responsibilities and from the Human Resources Department on collaborative policies and benefits.

B. In-Service Training

The Collaborative will provide in-service training through its programs to employees when appropriate. Requests for job-related training must be made to the program director/coordinator and approved by the program director.

C. Off-site Conferences and Workshops

The Collaborative will support attendance at outside conferences, training or workshops, when justifiable and as budgets allow. The employee's program director or designee must authorize attendance for conferences, training or workshops. The executive director must be informed in writing of out-of-state travel.

D. Professional Standards for Teachers

All teachers employed by the Collaborative are subject to the same professional standards, approval criteria, and licensure / re-licensure requirements as teachers employed by public school systems. All Collaborative teachers are expected to be qualified for the subjects they are teaching. Federal and State law requires local school districts to ensure that all teachers hired to teach core academic subjects are licensed. The laws also mandate each teacher create an individual professional development plan that establishes annual, measurable objectives in order to achieve and maintain qualified licensure in the field. SSEC provides all new teaching staff (first year educators and educators new to the collaborative) three

consecutive years of support through the Induction and Mentoring Program. SSEC supports staff in on-going professional development to maintain appropriate state and DESE licensure. Although the collaborative provides support to staff through a number of professional development opportunities, it is ultimately the responsibility of each individual staff member to distinguish which professional development activities meet the requirements of a particular license.

PERFORMANCE EVALUATIONS

Employees may be subject to an evaluation of their performance, at least annually, in accordance with the approved evaluation guidelines. Performance evaluation forms will follow DESE regulations where applicable. Other employees that may not follow this evaluation process may be evaluated using standardized evaluation forms. Evaluation should be viewed as a constructive, developmental activity. The intended use of the evaluation instrument is to:

- Review progress on measurable expectations established at the beginning of the period
- Identify areas of strength and supports needed for making improvements
- Discuss long term development plans and set goals for accomplishing interim steps
- Restate or update measurable job-related expectations going forward

The completed performance evaluation must be signed by both parties and forwarded to the Human Resources Department to be filed with the employee's personnel records.

PAYROLL POLICY

(Timesheet, Payroll Schedule, Direct Deposit Form)

Employees of the SSEC are paid every two weeks. Pay periods are one week in arrears. Deductions are made for the appropriate mandated retirement plans and federal income taxes, Massachusetts income tax, Medicare tax, insurance payments, and other deductions authorized by the employee.

Salaried employees do not complete timesheets unless they are working in more than one location or are in a school district. Hourly employees are required to submit a timesheet form, properly filled out and signed by the employee and program director/coordinator. The timesheet is considered an official record. All paid and unpaid absences must be requested, used and reported according to personnel policy. Completed, signed forms must be received in the business office by the Friday before a scheduled pay date.

All employees are required to have direct deposit. Pay is electronically deposited into their bank account(s); pay stubs outlining payroll deductions are emailed. Payroll direct deposits will occur on the dates specified as payday unless otherwise authorized by the executive director.

It is the practice of the SSEC to establish and administer payroll processes in a manner that is fully compliant with both federal and state wage and hour regulations relative to the payment of exempt employee salaries. If an employee questions a particular reduction in salary, the employee is asked to contact the business office with his/her concern. It will be the responsibility of the business office to research this payroll concern and respond to the employee as to his/her findings upon the completion of the investigation.

SALARY POLICY

The Board of Directors is responsible for approving salaries and contractual agreements, where necessary, for employees at the SSEC. For union staff members on salary schedules, placement and movement within salary schedules is determined by the current SSEC and AFT membership agreement.

WORK SCHEDULES

A. Hours of Work

All employees are expected to report to work on time, on a regular basis. Please consult your direct supervisor for exact start and end times for your particular program.

B. Absenteeism

1. Unexpected Absence

If absence from work is essential, the employee is required to give proper notification:

- ◆ Communicate personally (do not delegate to a friend, relative or co-worker) to immediate program director/coordinator
- ◆ Make contact prior to start of regular workday – as far in advance as possible or per your program director
- ◆ Any employee who fails to give proper notification may be charged with an unexcused, unpaid absence and/or other disciplinary action
- ◆ Medical documentation is required for absences exceeding five (5) consecutive days. In instances of extended or frequent absences, the program director/coordinator may request that an employee provide medical documentation, as well. Failure to provide adequate documentation may result in a denial of sick leave for that absence.
- ◆ Disciplinary action which may lead to dismissal will be taken in the event of:
 - repeated unexcused absences
 - “excessive” absences (without medical documentation)
 - patterns of abuse (e.g., sick days used to extend a weekend, holiday or vacation) or
 - false statements regarding use of sick time.

2. Severe Weather

Each student school work site has a protocol for staff to follow in the event that severe weather or other emergency conditions warrant an all-day closing or delayed opening. Please see your program director/coordinator for the protocol applicable to your work location. Employees assigned to a specific program site that has been closed are not expected to report to work at that site; missed days will be made up during the contract period. Staff members whose assignment is over several program sites are expected to contact their program director/coordinator to schedule the day.

Administrative office personnel and all other employees are expected to report to work as close to normal working hours as travel conditions will allow.

C. Arriving Late/Leaving Early (Tardiness)

An employee who has repeated incidences (two or more within 30 days) of being late for work, or late returning from lunch, or leaves work early either at lunchtime or the end of the work shift may be penalized by loss of pay. Repeated incidences (two or more within 30 days) can be subject to disciplinary action. **Employees with direct responsibility for students, who do not give advance notification of expected tardiness or leaving early, are subject to immediate disciplinary action or termination.**

PAID LEAVE

A. Vacation - Non-Union Employees

Non-union full time twelve month employees are granted vacation days according to the following schedule:

1 – 4 years	15 vacation days
5 - 9 years	20 vacation days
10 or more years	25 vacation days

Vacation Accrual

Inquiries can be sent to the payroll office

No vacation leave accrues during unpaid time not worked, such as while on family medical leave or disability leave. Vacation time is prorated for employees who start after July 1st.

Employees should attempt to use all vacation time due them within the contracted period of service. If, at the end of the fiscal year, the employee has not used the vacation allowance earned, a maximum of five (5) days can be carried over to the next fiscal year.

Vacation Requests (*Request for Time Off form, or through Time Clock Plus*)

Vacation day requests should be submitted to your supervisor as far in advance as possible. In most cases, vacation time is approved unless there is a concern for the safety and supervision of student programs.

B. Sick Leave

The sick leave benefit ensures that employees are able to perform their responsibilities at maximum efficiency and contributes to the health and safety of all students and staff. The sick leave benefit is to be used primarily for the employee's illness; however, if the employee has accrued enough time, up to ten days may be used to care for an ill or injured member in the immediate family of the employee. **Appointments with medical or dental professionals should be scheduled outside of normal working hours when possible.**

Sick Leave Accrual

School year and twelve month employees' sick leave accrual will follow the AFT union agreement.

Sick Leave Use

1. Employees taking a sick day must call in personally and report to their immediate program director/coordinator prior to the time they are supposed to report to work.
2. Employees who are out on sick leave are required to call their immediate program director/coordinator on a daily basis.
3. A claim of illness/injury must be supported by a doctor's certificate if the illness exceeds five (5) consecutive working days. If such certificate is not furnished by the employee, sick leave shall not be paid for the entire period of absence.
4. Unexcused absences will be unpaid and patterns of abuse of sick leave will be cause for disciplinary action.
5. Sick leave will not be used for pre or post extension of a holiday, weekend or a school vacation period, without medical documentation.

School year employees are allowed to use their accrued sick time during the school year. School year employees who work in the summer are under a separate contract that does not include benefits.

C. Personal Leave (*Request for Time Off form*)

Personal days are available for personal, legal, religious or family matters. Personal days are not intended to be used to extend a holiday weekend, school break (including summer break) for union employees.

Full-time employees may take up to three (3) paid days off during the fiscal year.* Personal days are prorated for employees hired after the start of the year. Personal days do not accrue. A request for a personal day should be made in writing to the program director/coordinator at least two (2) weeks in advance.

**School year employees are allowed to use their personal time during the school year only. Summer hours are under a separate contract that does not include benefits.*

D. Funeral/Bereavement Leave

School year and twelve month employees follow the AFT union agreement.

E. Jury Duty

All full-time and regular part-time employees who miss regularly scheduled work due to jury duty will receive their regular pay for up to three (3) days. It is the obligation of the employee to show the program director/coordinator the summons or notification to serve on a jury within seven (7) days of the employee's receipt of the summons or notification to serve. In cases of extended jury duty, the situation will be reviewed and consideration for payment will be determined based on substitute expenses, length of jury duty. These cases may be brought to the board for consideration.

F. Military Leave

Leave of absence for performance of duty with the Armed Forces of the United States or with a reserve component thereof shall be granted in accordance with applicable law. Those employees who are members of the Armed Forces Reserve and National Guard units will be paid the difference between their military pay and their regular pay from the SSEC during an absence for a single period up to seventeen (17) consecutive days for active duty in each calendar year. Evidence of service orders shall be filed with the program director/coordinator and the Human Resources Department upon receipt and followed with documentation of time served and pay schedule.

G. Holidays

The SSEC recognizes the following holidays:

Independence Day	New Year's Day
Labor Day	Martin Luther King Day
Indigenous Peoples Day	Presidents' Day
Veterans' Day	Patriots' Day
Thanksgiving Day	Memorial Day
Christmas	Juneteenth

Holidays do not count as days worked for employees contracted to work a specific number of days at a set salary.

UNPAID LEAVE

Note: This section outlines the rights of employees for excused absences for extended sickness and family matters. To be paid for any of these absences, any accrued unused time (vacation, sick or personal) may be noted on the weekly attendance.

A. Family and Medical Leave Act (FMLA)

The SSEC will comply with all applicable requirements of the Family and Medical Leave Act of 1993. Any employee who meets the qualifications and is eligible for FMLA should address all questions regarding this policy or applicable state or federal laws to the Human Resources Department to ensure that all employee rights and responsibilities are properly explained. The FMLA requires employers with 50 or more employees to provide eligible employees up to 12 weeks of unpaid, job-protected leave in any 12-month period for the following reasons:

1. To care for a child upon birth or placement for adoption or foster care. (**Parental Leave**)
2. To care for a spouse, parent or child with a serious health condition.
3. When an employee is unable to work due to a serious health condition.
4. Military Family Leave Entitlements (**Qualified Exigency Leave and Military Caregiver Leave**).

Please see Human Resources for details on your rights and obligations for each type of leave. Any concerns regarding FMLA eligibility should be brought to the Human Resources Department immediately for resolution.

The FMLA defines eligible employees as employees who:

1. Have worked for the Collaborative for at least 12 months.
2. Have worked for the Collaborative for at least 1250 hours in the previous 12 months.

Employees who want to take FMLA leave ordinarily must provide the SSEC at least 30 days' notice of the need for leave, if the need for leave is foreseeable. If the employee's need is not foreseeable, the employee should give as much notice as is practicable **and must comply with the collaborative's normal call-in procedures**. A request for FMLA must be submitted in writing to the employee's Program director/coordinator and to the Human Resources Department.

Employees must provide sufficient information for the collaborative to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees also may be required to provide

a certification and periodic recertification supporting the need for leave. When the leave is a result of the employee's own serious health condition, a fitness for duty certificate may be required in order to return to work. The SSEC may deny leave to employees who do not provide proper advance leave notice or **appropriate** certification.

Employees taking leave under the FMLA are entitled to receive health benefits during the leave at the same level and terms of coverage as if they had been working throughout the leave. While on approved leave, employees will be expected to continue to contribute their biweekly insurance premium for the duration of their leave. If an employee fails to return to work at the end of such leave the employee will be expected to repay any health care premiums paid by the SSEC during their leave. In addition, the SSEC must reinstate an employee returning from FMLA leave to the same or equivalent position with equivalent pay, benefits, and other employment terms. Certain highly compensated key employees may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the operations of the SSEC.

The employee's use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave. The employee may elect to substitute accrued paid leave for unpaid FMLA leave, but is not required to do so. The SSEC will use a rolling period measured from the first day of leave forward in calculating the measurement of the 12-month period to be consistent with the state formula.

An exception to this rolling period is made for Military Caregiver Leave. The period will be a single 12 month period that begins on the first day of the employee's leave.

It is illegal for the SSEC to interfere with, restrain, or deny the exercise of any right provided by the FMLA, or to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for being involved in any proceeding under or relating to the FMLA.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights, based on an employee's sex, sexual orientation (including gay, lesbian, bisexual and transgendered individuals), sexual preference, race, religion, national origin, disability or age. The U.S. Department of Labor is authorized to investigate and resolve employee constraints of violations of the FMLA. An eligible employee may also bring civil action against the employer for violations.

B. Pregnancy or Pregnancy-Related Condition

If an employee seeks a reasonable accommodation, such requests should be made to the Human Resources Manager. A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to SSEC.

Reasonable accommodations may include, but are not limited to:

1. more frequent or longer paid or unpaid breaks;
2. time off to attend to a pregnancy complication or recover from childbirth with or without pay;
3. acquisition or modification of equipment or seating;
4. temporary transfer to a less strenuous or less hazardous position;
5. job restructuring;
6. light duty;
7. private non-bathroom space for expressing breast milk;
8. assistance with manual labor; or
9. a modified work schedule.

SSEC will engage in an interactive process to determine effective reasonable accommodations to enable the individual to perform the essential functions of the job. SSEC will provide an accommodation unless it poses an undue hardship.

Upon receiving a request for an accommodation, SSEC may require the employee or prospective employee to provide documentation from an appropriate health care professional about the need for a reasonable accommodation; however, SSEC will

not require documentation for the following accommodations: (1) more frequent restroom, food or water breaks, (2) seating, (3) limits on lifting more than 20 pounds, and (4) private non-bathroom space for expressing breast milk. SSEC also may require documentation for an extension of the accommodation beyond the accommodation originally agreed upon.

Massachusetts Parental Leave

Employees who are not eligible for Family and Medical Leave in relation to the birth or adoption of a child may still be eligible for leave under the Massachusetts Parental Leave Act (“MPLA”). Notwithstanding the above, when an employee is eligible for both MPLA and FMLA, the employee’s MPLA leave will run concurrent with the employee’s FMLA leave. In the event of a conflict between this policy and any applicable law, the applicable law will apply.

SSEC will grant eight weeks of unpaid leave (unless the employee has available unused accrued paid leave and elects to use such leave for some or all of the leave under this Parental Leave Policy), for the purpose of giving birth, for the placement of a child under the age of 18, or under the age of 23 if the child is mentally or physically disabled, or for adoption with the employee who is adopting or intending to adopt the child. The following conditions must be met:

- the employee must have finished his/her introductory period;
- the employee must provide two weeks’ written notice of the anticipated date of departure and state in writing the intention to return to his/her position or provide notice as soon as practicable based on the situation; and the employee must state the anticipated date of return to work.

During this period of leave, no vacation or sick leave is accrued unless the employee elects to use eligible accrued paid leave. Health insurance coverage will continue during this leave time, as described in this handbook for active employees. Eligibility to use and participate in other benefits shall resume as of the date the employee returns to full-time employment. This leave will not affect the employee’s rights to utilize accrued vacation leave or other benefits for which s/he was eligible at the date of his/her departure. An employee returning to work at the completion of the eight week leave will be restored to his/her previous position or a similar position.

Employees taking Parental Leave under this policy may use all unused accrued paid leave during the Parental Leave. If an employee elects to use accrued paid leave during a Parental qualifying absence, such paid leave will run concurrently with, and not in addition to, available Parental leave. Employees anticipating Parental Leave, who wish to use unused vacation leave during all or part of the leave, should submit the request in writing to his/her supervisor prior to taking the leave.

Any 2 employees of SSEC shall only be entitled to 8 weeks of Parental leave in aggregate for the birth, placement, or adoption of the same child.

C. The Small Necessities Leave Act (SNLA)

The SSEC will comply with all applicable requirements of the Massachusetts Small Necessities Leave Act. This law provides eligible employees with additional unpaid leave of 24 hours each 12-month period for certain family obligations. Leave purposes outlined by the SNLA include:

1. To participate in school activities directly related to the educational advancement of the employee’s son/daughter (e.g., attending parent-teacher conferences; enrolling a child in school; interviewing for a new school). “School” is broadly defined to include any public/private elementary/secondary school, Head Start programs, and licensed day care facilities.
2. To accompany an employee’s son/daughter to routine medical appointments, including visits for check-ups, vaccinations, etc.
3. To accompany an “elderly” relative of the employee (i.e., a person at least 60 years of age, related by blood or marriage to the employee, including the employee’s parents) to routine medical/dental appointments, appointments for other professional services related to the elder’s care (e.g., interviews at nursing or group homes).

SUMMARY OF BENEFITS

The following are brief descriptions of the many benefit plans offered by the SSEC to employees who are hired into regular positions. While every attempt has been made to ensure the accuracy of this summary, the legal documents, policies or certificates pertaining to the various benefits prevail in the event of any discrepancy. For complete information on a particular plan, please contact the Human Resources Department.

Section 125 Cafeteria Plan defined: The 125 plan, named after a section of the Internal Revenue Code, allows regular full-time employees (20+ hours) to elect to pay premiums for health, dental and/or flexible spending accounts on a pre-tax basis.

A. Health Insurance

Massachusetts residents are required to have health insurance. All regular employees who work twenty hours a week or more must either elect health insurance coverage or sign a waiver form prescribed by the Massachusetts Health Care Reform Law. Entry dates for getting coverage are the first of the month following the date of hire and the first day of July each year. A Section 125 election and health insurance enrollment form must be completed and returned to Human Resources within 30 days of the first day of hire in order for coverage to begin. The Collaborative contributes a percentage of the cost of the "traditional plan" each year for the coverage type selected (single or family). Employees pay the remaining premium via payroll deductions.

For regular employees working at least 20 hours/week the percentage of health insurance premium the collaborative pays is 50%.

Employees who decline health insurance coverage at the time they are first eligible may only elect coverage during the next annual open enrollment period (for an effective date of July 1) or on the date of a change due to a qualifying event. Contact Human Resources for further information.

When an employee enrolled in a health plan is on an approved leave without pay (e.g., FMLA), health insurance benefits will be continued so long as the employee continues timely payment of the premium contribution. When a participating employee separates from service or changes status and is no longer eligible for coverage, the health insurance benefit terminates.

Employees who retire with 5 or more years of consecutive service with the SSEC working an average of 20 hours per week, and who have paid for SSEC health insurance for at least three contract years, can continue participation in the company group health insurance plan until age 65, and may be eligible for Medicare and supplemental insurance thereafter. Contact Human Resources for further information.

The Board of Directors of the South Shore Educational Collaborative do hereby adopt the following policy relative to the offering, at the sole discretion of the Board of Directors, of certain health benefits to otherwise eligible retirees of the South Shore Educational Collaborative.

1. This policy shall only be considered effective to the extent that the Board of Directors retains full and complete discretion and control to offer, to cease offering, and/or to alter the offering of any and all health benefits to otherwise eligible retirees of the South Shore Educational Collaborative.
2. For the purpose of this policy, retirees shall be defined as individuals who both are eligible for and in fact receive a retirement allowance in accordance with G.L. C. 32 through either the State Retirement system or under the Massachusetts Teachers' Retirement system, and who retire from service with the South Shore Educational Collaborative with a minimum of five (5) years of consecutive service, working on an average minimum of twenty (20) hours per week. In addition, the eligible retiree must have been enrolled in the group health insurance plan of the SSEC for at least three contract years prior to the date of retirement.
3. Retirees who are otherwise deemed eligible, subject to the discretion of the Board of Directors, shall be entitled to enroll in one of the health benefit plans offered by the SSEC up to the date the individual becomes eligible for Medicare. Upon reaching the age of Medicare eligibility, the retiree must enroll in Medicare and will be eligible to enroll in a Medicare

Supplement Plan offered by the SSEC, provided that the Board of Directors so chooses to offer a Medicare Supplement Plan.

4. Eligible retirees who enroll in a plan offered by the SSEC, whether or not the plan is a group plan or a Medicare Supplement Plan, shall receive an amount equal to fifty percent (50%) of each retiree's monthly plan contribution, regardless of whether or not the retiree is enrolled in an individual or a family plan.
5. Retirees shall be responsible for making full payment of their share of the premium within thirty (30) days from the premium due date. Should any enrolled retiree fail to make such premium payment they shall be considered dropped from the plan.
6. Nothing in this policy guarantees nor should be considered to guarantee health benefits to any retiree. Further, the Board of Directors, by and through the adoption of this policy, retains full discretion to alter contribution levels and to cease the offering of any or all health benefit plans or benefits.

B. Dental Insurance

All regular employees who work twenty hours a week or more may elect group dental insurance coverage. Entry dates are first day of hire and the first day of October. A Section 125 election and Dental enrollment form must be completed and returned to Human Resources within 30 days of the first day of hire in order for coverage to begin. This coverage is 50% employee paid and 50% employer paid.

Employees who decline dental insurance coverage at the time they are first eligible may only elect coverage during the next annual open enrollment period (for an effective date of October 1) or on the date of a change due to a qualifying event. Contact Human Resources for further information.

When an employee enrolled in a dental plan is on an approved leave without pay (e.g., FMLA), dental insurance benefits will be continued so long as the employee continues timely payment of the premium contribution. When a participating employee separates from service or changes status and is no longer eligible for coverage, the dental insurance benefit terminates.

C. Life Insurance (Term Life Insurance)

Basic Life: All regular employees who work twenty-five hours a week or more may enroll for life insurance coverage in the amount of \$25,000. This coverage takes effect on the first day of the month following a 30-day waiting period. The SSEC pays 50% of the premium for this life insurance and for AD&D coverage. When an employee leaves or changes status and is no longer eligible for life insurance coverage, life insurance coverage terminates. If an employee retires from the collaborative, he/she may elect to pay for continued life insurance coverage in the amount of \$10,000; this amount is reduced to \$5,000 for retirees over 70 years of age. Coverage in the amount of \$10,000 is for enrolled employees who are actively working over 70. **Mutual of Omaha coverage is also available for different rates.**

D. Short-Term Disability (STD) Insurance

All regular employees who work twenty five hours a week or more may purchase short-term disability coverage, at their own expense, with elimination periods of either 7, 14, or 30 days.

E. Long Term Disability (LTD) Insurance

All regular employees who work twenty five hours a week or more may purchase long-term disability insurance, at their own expense, covering 60% of weekly salary. This coverage takes effect after 90 consecutive days of being unable to work due to an accident, illness or injury off the job.

F. Cancer Insurance

All regular employees who work twenty five hours a week or more may purchase cancer insurance at their own expense.

G. Retirement

The SSEC contributes to the mandatory federal Medicare program, matching the 1.45% of your earnings toward this retirement health benefit, but does not participate in Social Security. Employees, instead, enroll in one of the following retirement programs based on eligibility:

- ◆ Massachusetts Teachers Retirement System – Certified teachers and specialists

- ◆ State Board of Retirement – All other regular employees who work 17.5 hours a week or more
- ◆ OBRA plan – Part-time and temporary employees.

The Human Resources Department can provide additional information on each of these plans.

H. **Tax-Deferred Annuities/College Savings Plan**

IRS regulations require us to notify all employees that you are eligible to participate in a tax sheltered annuity (403b) plan. The South Shore Educational Collaborative allows its employees to participate in the plan of their choice; there is a list of approved providers available in Human Resources. A salary reduction agreement is required, which your provider will give to you.

I. **Employee Assistance Program (EAP)** 1-800-456-6327 www.Perspectivesltd.com

All employees of the Collaborative and members of their immediate families are eligible to participate in the Wellness Corp. Employee Assistance Program, at no cost. This program provides free, confidential, short-term counseling on personal problems that may be affecting your work, information and referral for a variety of issues (such as child care, elder care, budgeting tips, depression, substance abuse, etc.), conflict mediation, management and program director/coordinator consultation on workplace concerns, financial counseling, legal consultations, etc.

Examples of when someone may wish to call the EAP include:

- ◆ A problem takes up considerable time in your thoughts, affecting your mood, concentration, productivity or relationships.
- ◆ A problem affects your physical health or makes you unusually irritable.
- ◆ You feel a workplace or program director/coordinator issue could be improved through professional consultation.
- ◆ You struggle with difficult feelings such as depression, anxiety, anger, panic or stress.

Educators' EAP maintains complete client confidentiality; records will not become part of your personnel file. In some cases, when discussing job performance difficulties, a program director/coordinator may refer you to the EAP. However, the final decision to use the EAP is the employee's.

The EAP website also offers a full spectrum of behavioral healthcare solutions and resources – whatever the challenge, support is available 24-7.

REPORTING CHANGE OF STATUS/ EMPLOYEE INFORMATION FILE

A. **Change of Status**

(Change of Status Form)

In order to keep employees' personnel records current, it is the employee's responsibility to notify the Human Resources Department, in writing, whenever there is a change in the employee's status. The Human Resources Department will be responsible for notifying payroll, program contact, etc. of the change. Examples of changes may include:

- ◆ Name (copy of updated Social Security Card required)
- ◆ Home Address
- ◆ Home Telephone
- ◆ Family Status (marriage, divorce)
- ◆ Emergency Contact information
- ◆ Beneficiary update
- ◆ Tax exemptions (attach copy of updated federal or state withholding form)

- ◆ Benefit elections based on an event – change in marital status, birth or adoption of child, etc.
- ◆ Licensure, certification or degree changes (attach documentation)

B. Access to Personnel Files

You are entitled to review your individual employee file. We ask that you make arrangements to do so in advance with the Human Resources Department. With reasonable advance notice, employees may review their own personnel files in the Human Resources Office and in the presence of an individual appointed by the SSEC to maintain the files.

TRANSPORTING STUDENTS / USE OF COLLABORATIVE VEHICLES

A. Transporting Students

SSEC staff assigned to transport students must do so only in collaborative-owned vehicles, and only after obtaining a 7-D license from the Massachusetts Registry of Motor Vehicles. The only exception to this policy is, in an emergency situation, when an employee is asked by the program director or designee to use a personal vehicle. The vehicle liability insurance of staff that transports students in their own cars is the insurance of first resort should a client be injured while riding in a staff person's vehicle. The collaborative's liability insurance policy is the insurance of second resort.

B. Using Collaborative Vehicles

- Any employee using a collaborative vehicle to transport students must have a valid Massachusetts license and current 7-D license on file. The only exception is when authorized by the appropriate program director or designee for an emergency situation.
- Collaborative vehicles are not for personal use. Any exception must have the approval of the executive director. Anyone using a collaborative vehicle for personal business without written approval will be subject to disciplinary action.
- Any staff involved in an automobile accident in an SSEC vehicle should immediately call the police, and her/his program director/coordinator. Staff should remain with the vehicle at the scene of the accident and wait for the police to arrive.
- Employees must pay any speeding or parking tickets incurred while using their own vehicle or an SSEC vehicle. Failure to use proper care while in an SSEC vehicle could result in disciplinary action.
- There shall be no unauthorized persons taken as passengers in SSEC vehicles. The program director must approve all vehicle riders.
- Periodic license renewal of all SSEC 7-D vehicle drivers will be completed through the Department of Motor Vehicles and reimbursed by SSEC. Medical physical examination for the 7-D license is covered by SSEC if the employee goes to an SSEC approved location.

C. Idling Law

- SSEC follows the Massachusetts [General Law - Part I, Title XIV, Chapter 90, Section 16B](#) on idling vehicles on school property.

SSEC TRAVEL / EXPENSE REIMBURSEMENT

A. Routine Business Travel – Use of Personal Vehicles

- Authorized use of personal vehicles for business travel will be reimbursed at the approved IRS established rate. Such change will be effective the first of the month following the IRS announced effective date for the rate change.
- Please refer to the Agreement with the SSEC Board and the AFT. Routine commuting to and from a job site is not reimbursable.

B. Lodging and Meals

- ◆ Employees are allowed reasonable and actual lodging expenses during business travel.
- ◆ Employees, while on out-of-town business travel, may be reimbursed for reasonable and actual expenses for meals (including tax and tips) purchased away from home. Dated receipts are required for reimbursement of meals. Any questions about what is reasonable and actual should be reviewed in advance with program director/coordinator.
- ◆ Employees will not be reimbursed for liquor or personal need items.
- ◆ Employees will not be reimbursed for meals, entertainment, or lodging expenses incurred during personal time of a trip that is both business and personal.

C. Expense Reimbursement

Employees generally pay business travel expenses out-of-pocket as they are incurred, and acquire original receipts or itemized invoices. NO charge accounts are to be opened or expenses charged in the collaborative's name.

The employee should keep receipts and accurate records to track out of pocket expenses (mileage, tolls, parking, transportation costs, registration fees, lodging, meals, etc.) and must be submitted with receipts (and signed memo approving expenses and the authorizing travel, if applicable) to the Business Office, Attn: Accounts Payable, to obtain reimbursement.

D. Reporting Travel on Timesheet

Employees will be compensated for their typical workday hours to attend required conferences or in-service training. Employees will not be paid for additional hours to cover overnight stay or travel.

DISCIPLINARY ACTION

The SSEC needs to ensure that personnel policies/procedures are followed, that employees meet performance expectations and that enforcement is implemented in an equitable manner. Generally, employees who violate any of the collaborative's personnel policies or fall short of performance standards will be subject to discipline in accordance with this policy.

While the SSEC provides a policy of progressive discipline as a guide, the severity and circumstances surrounding a particular violation may warrant acceleration of these progressive disciplinary measures in order to institute a level of discipline that properly deals with the severity of the infraction. Actions, which are so detrimental to the integrity of the collaborative's operations and its personnel, may result in immediate termination.

Verbal warning by the employee's immediate program director/coordinator.

The program director/coordinator will discuss the misconduct or behavior and steps necessary to arrive at a satisfactory resolution. Verbal warnings will be documented in the employee's personnel file.

Written warning by the employee's immediate program director/coordinator.

A written warning will include a discussion as to the steps necessary to arrive at a satisfactory resolution and clearly stated consequences of non-compliance. The employee must acknowledge receipt of a copy of the written warning. The warning and acknowledgment will become a part of the employee's personnel file.

Probationary period of up to three months will be imposed. The implementation of a probationary period will be communicated to the employee in writing and include specific remediation steps necessary to arrive at a satisfactory resolution with specified consequences for unsatisfactory resolution. A written acknowledgment from the employee is required. All written materials related

to the implementation of a probationary period will become a part of the employee's personnel file.

Suspension without pay may be imposed by the executive director or designee. A suspension will include a discussion as to the expectations of the employee upon return to work and the consequences for failure to meet those expectations. Notice of suspension will be communicated in writing to the employee and become a part of the employee's personnel file.

Investigatory Suspension can be instituted by the executive director or designee.

If allegations requiring investigation are brought against an employee, the employee may be placed on investigatory suspension while the investigation is conducted. The suspension will be invoked only if the employee's continued presence in the position could jeopardize the health and safety of students or coworkers. If the investigation does not support the allegations, the employee will be reinstated. If after the investigation is completed, and the allegations are supported, further disciplinary action up to and including termination may be invoked.

Dismissal is determined by the executive director.

Actions subject to disciplinary action, up to and including dismissal, include but are not limited to the following:

- Intimidating, threatening or harassing behavior toward students, their families, or co-workers
- Engaging in illegal and/or sexual activity while on the job
- Failure to report abuse, harassment, or mistreatment witnessed first hand
- Use of, or possession of liquor, narcotics or dangerous weapons while representing the collaborative
- Patterns of absence or excessive absenteeism or tardiness
- Failure to notify program director/coordinator of an arrest
- Dishonest, unlawful, unethical conduct
- Theft or falsifying records or documents
- Intentional falsification of timesheets
- Willful destruction or improper use of SSEC property
- Conducting other than collaborative-related business during work hours, including excessive use of phone, e-mail and Internet for personal business
- Failure to maintain the confidentiality of SSEC records
- Violation of the SSEC personnel policies and procedures
- Insubordination, such as failure to follow directions of program director/coordinator

GRIEVANCE PROCEDURE

The SSEC follows the grievance procedure of the AFT agreement.

SEPARATION OF SERVICE

Departing employees should submit, in writing, their intent to terminate employment to their program director/coordinator, at least thirty days in advance. The program director/coordinator will forward final time sheets and separation documentation to Human Resources for processing of final pay. It is the responsibility of the employee to schedule a final meeting with the Human Resources Department, if desired, to ensure that the employee rights have been discussed and handled in a timely, appropriate manner. The exit process will include:

1. An exit conference with program director/coordinator and/or executive director asking departing staff for suggestions and recommendations concerning the SSEC and its programs.
2. Confirmation of the employee's official last day of work. At this time, keys, fobs and identification cards would be turned in.
3. Clearance of all outstanding obligations to the SSEC and the return of all SSEC property. Clearance of any outstanding debts that are to be paid from the employee's final pay.
4. Instructions regarding distribution of the employee's final check, which will include a reconciliation of money owed to employee and to the collaborative (e.g., payment for all work performed and any accrued vacation leave; deduction for vacation, sick or personal time taken, but not yet accrued).
5. Information regarding unemployment benefits, when and where withholding tax statements will be mailed and, if applicable, what happens to payroll deductions such as retirement, annuities, garnishments, insurance payments, etc.
6. Eligible departing employees will also have explained to them their rights under federal COBRA laws, with regards to continuation of health and/or dental insurance plans. The corresponding COBRA paperwork will be sent directly to the employee's home.

COBRA

If a participant in a health or dental plan separates from service or has work hours reduced below 20 hours/week, eligibility to participate in the benefit plan(s) ceases. This loss of coverage for the employee and any participating dependents can be remedied by electing COBRA coverage. COBRA provides the right of the participant to continue the same coverage for up to eighteen (18) months by paying the entire premium plus an administrative charge.

Eligible dependents may extend coverage in the group health or dental insurance plans for up to thirty-six (36) months in the event of the employee's death, divorce, legal separation, or entitlement to Medicare benefits or when a child ceases to be eligible for coverage to an individual policy with our insurance carriers at the end of the continuation period.

Continuation of COBRA coverage may end, if any of the following occurs:

- Failure to make timely payments of all premiums and administrative fees.
- Assumption of coverage under another group plan that has no pre-existing conditions exclusions or entitlements to Medicare.
- Termination of the SSEC group health or dental plans.

The SSEC will provide details concerning these options as well as written notification of this benefit. Written notification will be sent to an eligible individual at the last address on file in the Business Office.

VALIDITY

It is understood that all procedures are subject to all applicable laws now or hereafter in effect; and to all lawful regulators, funding sources, rulings and orders or regulatory commissions or agencies that have jurisdiction.

First reading by SSEC Board January, 2023

I have read and understand the information provided in the South Shore Educational Collaborative employee handbook which includes the ECD policy, and I will comply with the above policy and procedures.

Employee Name

Date

Employee Signature

Appendix 1. Title IX Policy & Procedure Revised for August 1, 2024, Board Approval 5/17/2024

Appendix 2. SSEC's Policy & Procedure for Non-Discrimination and Anti-Harassment Except for Title IX, Board Approval 5/17/2024

Appendix 3. 2023 2025 Bullying Prevention & Intervention Plan Board Approval 12/8/2023

Appendix 1

South Shore Educational Collaborative Sexual Harassment / Title IX Policy

Updated May 2024

Board Approval: 5/17/2024

Reflects the US Department of Education's Revised Title IX Regulations effective August 1, 2024

SSEC does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

Inquiries about Title IX may be referred to SSEC's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both.

Title IX Coordinator

The contact information for SSEC's Title IX Coordinator is: Erin Holder
75 Abington Street, Hingham, Ma 02043
781.749.4519 eholder@ssec.org

SSEC's Title IX Coordinator may delegate specific duties to one or more designees as the Title IX Coordinator finds appropriate.

SSEC's nondiscrimination policy and grievance procedures can be located below. SSEC has adopted these grievance procedures to provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to the procedures below.

Definitions

Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Under state law, sexual harassment is sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment under Massachusetts law when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's advancement (quid pro quo harassment);
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions;
- Such conduct interferes with an individual's job duties; or
- The conduct creates an intimidating, hostile or offensive work environment.

Under Federal law, sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

- *Quid pro quo harassment.* An employee, agent, or other person authorized by SSEC to provide an aid, benefit, or service under SSEC's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
- *Hostile environment harassment.* *Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from SSEC's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:*
 - The degree to which the conduct affected the complainant's ability to access SSEC's education program or activity;
 - The type, frequency, and duration of the conduct;
 - The parties' ages, roles within SSEC's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - The location of the conduct and the context in which the conduct occurred; and
 - Other sex-based harassment in SSEC's education program or activity.
- *Specific offenses.*
 - Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
 - Dating violence meaning violence committed by a person:
 - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and
 - The frequency of interaction between the persons involved in the relationship;
 - Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of SSEC, or a person similarly situated to a spouse of the victim;
 - Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - Shares a child in common with the victim; or
 - Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
- Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - Fear for the person's safety or the safety of others; or
 - Suffer substantial emotional distress

The following additional definitions apply:

"Complainant" means:

- A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or

- A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in SSEC's education program or activity at the time of the alleged sex discrimination.

"Complaint" means an oral or written request to SSEC that objectively can be understood as a request for SSEC to investigate and make a determination about alleged discrimination under Title IX or its regulations. The Title IX Coordinator will file this complaint if the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents SSEC from ensuring equal access on the basis of sex to its education program or activity. The following factors go into the decision by the Title IX Coordinator:

- The complainant's request not to proceed with initiation of a complaint;
- The complainant's reasonable safety concerns regarding initiation of a complaint;
- The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the respondent is an employee of SSEC;
- The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- Whether SSEC could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

"Disciplinary sanctions" means consequences imposed on a respondent following a determination under Title IX that the respondent violated SSEC's prohibition on sex discrimination.

"Relevant" means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

"Remedies" means measures provided, as appropriate, to a complainant or any other person SSEC identifies as having had their equal access to SSEC's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to SSEC's education program or activity after a District determines that sex discrimination occurred.

"Respondent" means a person who is alleged to have violated SSEC's prohibition on sex discrimination.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Retaliation" means intimidation, threats, coercion, or discrimination against any person by SSEC, a student, or an employee or other person authorized by SSEC to provide aid, benefit, or service under SSEC's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

"Supportive measures" means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- Restore or preserve that party's access to SSEC's education program or activity, including measures that are designed to protect the safety of the parties or SSEC's educational environment; or

- Provide support during SSEC's grievance procedures or during an informal resolution process.

"Parental status" means the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is:

- A biological parent;
- An adoptive parent;
- A foster parent;
- A stepparent;
- A legal custodian or guardian;
- In loco parentis with respect to such a person; or
- Actively seeking legal custody, guardianship, visitation, or adoption of such a person

"Pregnancy or related conditions" means:

- Pregnancy, childbirth, termination of pregnancy, or lactation;
- Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
- Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Complaints and Reports of Sexual Harassment

The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that SSEC investigate and make a determination about alleged discrimination under Title IX:

A "complainant," which includes:

- a student or employee of SSEC who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
- a person other than a student or employee of SSEC who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in SSEC's education program or activity;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- SSEC's Title IX Coordinator

Note that a person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 C.F.R. § 106.44(f)(1)(v).

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

- Any student or employee of SSEC; or
- Any person other than a student or employee who was participating or attempting to participate in SSEC's education program or activity at the time of the alleged sex discrimination.

SSEC may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. SSEC cannot consolidate if it would violate FERPA. Consolidation would not violate FERPA when a District obtains prior written consent from the parents or eligible students to the disclosure of their education records.

SSEC will address a sex-based hostile environment allegation under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside SSEC's education program or activity or outside the United States.

Obligation to Report

All employees must notify the building/programa Administrator or the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX.

Informal Resolution

In lieu of resolving a complaint through SSEC's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. SSEC does not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

Facilitators of informal resolution will be designated by the Title IX Coordinator and must not be biased against any of the parties. Prior to beginning informal resolution, the Title IX Coordinator will send notice to the parties of the process and their rights.

Informal resolution is entirely voluntary. Parties may elect to pursue formal procedures at any step in the process of making their complaint, including prior to filing one.

If the complainant and the respondent feel that their grievances have been sufficiently addressed via informal resolution, then no further action needs to be taken. This voluntary conversation must occur within thirty (30) school days after receiving the allegations, unless both parties agree otherwise. The results of an informal resolution shall be maintained by the facilitator, in writing.

Supportive Measures

Upon receiving actual notice of alleged sexual harassment without a formal complaint, staff members must notify the Title IX Coordinator. The Title IX Coordinator must then contact the complainant within five school days of receiving the complaint and do the following:

- Discuss and offer supportive measures;
- Consider the complainant's wishes with respect to supportive measures;
- Explain that supportive measures may be received with or without filing a complaint;
- Determine whether the complainant wishes to file a complaint; and
- Explain to the complainant the purpose of filing a complaint.

The Title IX Coordinator must document in writing the supportive measures offered/provided or why no supportive measures were offered/provided.

A respondent will be offered supportive measures if SSEC has initiated a Title IX complaint or if SSEC has offered informal resolution. If the Title IX Coordinator is initiating the complaint, the Title IX Coordinator will notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures.

Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of SSEC to provide the supportive measures.

If the complainant or respondent is a student with a disability, the Title IX Coordinator will consult with one or more members, as appropriate, of the student's IEP or 504 Team to determine how to comply with the requirements of the Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, in the implementation of supportive measures.

Grievance Process Overview

During the grievance process, SSEC will treat complainants and respondents equally.

SSEC requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.

SSEC presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

SSEC has established the following timeframes for the major stages of the grievance procedures:

- Within five business days, SSEC will decide whether to dismiss or investigate a complaint.
- Within sixty business days, SSEC will investigate and decide on the complaint.
- The parties will have ten calendar days to appeal a decision from the decision-maker or of a decision to dismiss the complaint. SSEC will decide an appeal within thirty calendar days of receipt.

SSEC will provide all parties with a reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay. If a party is seeking an extension, they should request an extension from the Title IX Coordinator in writing, explaining the reasons for the requested extension. The Title IX Coordinator will rule on the extension in writing to all parties. If SSEC requires an extension for good cause, it will notify all the parties of the reasons.

SSEC will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

SSEC will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by SSEC to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless SSEC obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Notice of Allegations:

Upon initiation of SSEC's Title IX grievance procedures, SSEC will notify the parties of the following:

1. SSEC's Title IX grievance procedures and any informal resolution process;
2. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
3. Retaliation is prohibited; and
4. The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence.

If, in the course of an investigation, SSEC decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, SSEC will notify the parties of the additional allegations.

Dismissal of a Complaint:

SSEC may dismiss a complaint of sex discrimination if:

- SSEC is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in SSEC's education program or activity and is not employed by SSEC;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and SSEC determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- SSEC determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, SSEC will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, SSEC will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then SSEC will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

SSEC will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then SSEC will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, SSEC will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;

- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, SSEC will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within SSEC's education program or activity.

Investigation:

SSEC will provide for adequate, reliable, and impartial investigation of complaints.

The burden is on SSEC—not on the parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

SSEC uses a single investigator/decision-maker.

SSEC will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

SSEC will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

SSEC will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- SSEC will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence;
- SSEC will provide a reasonable opportunity to respond to the evidence; and
- SSEC will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Questioning the Parties and Witnesses:

SSEC will require the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. The decisionmaker will question witnesses and parties directly to make this determination.

Determination Whether Sex Discrimination Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, SSEC will:

Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.

The decisionmaker will:

- Notify the parties in writing of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable;
- Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
- If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 - Coordinate the provision and implementation of remedies to a complainant and other people SSEC identifies as having had equal access to SSEC's education program or activity limited or denied by sex discrimination;
 - Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within SSEC's education program or activity.
 - Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
 - Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

Following a determination that sex-based harassment occurred, SSEC may impose disciplinary sanctions, which may include revocation of privileges, detentions, suspensions or expulsions. SSEC may also provide remedies, which may include supportive measures, counseling, stay away orders, class switches or any additional measures that are appropriate.

After the grievance process, SSEC may, as appropriate, modify or terminate supportive measures. If SSEC does so, it will provide the parties to timely seek from an appropriate and impartial employee, modification or reversal of SSEC's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee will be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision, if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures. SSEC will also provide a party with the opportunity to seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

Appeal

SSEC offers the following process for appeals from a determination whether sex discrimination occurred:

- The parties have the right to appeal the decision of the decisionmaker to either the current Executive Director of SSEC or the Chair of SSEC's Board of Directors (depending if the Executive Director acted as decision maker) in writing within ten (10) calendar days after the decision is formally made. The Executive Director or Chairperson of the Board will offer the other party an opportunity to respond in writing and then will send the parties a decision within thirty (30) calendar days.
- Contact information is listed below. All current contact information can also be found on the SSEC website.

SSEC Executive Director	Chair of the SSEC Board of Directors:
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Through June 30, 2024	Through June 30, 2024
Rick Reino, SSEC Executive Director 339 201 4518 rreino@ssec.org	Judith Kuehn, Superintendent Hull Public Schools jkuehn@town.hull.ma.us Phone: 781-925-4400 x:1118
Effective July 1, 2024	Effective July 1, 2024
Michael Losche, SSEC Executive Director 339 201 4518 mlosche@ssec.org	Jeffrey Szymaniak, Superintendent Whitman Hanson Public Schools Jeffrey.Szymaniak@whrsd.org Phone: 781-618-7411

Training

All employees will be trained annually and upon hire on:

- SSEC's obligation to address sex discrimination in its education program or activity;
- The scope of conduct that constitutes sex discrimination, including the definition of sex-based harassment; and
- All applicable notice and information requirements.

All investigators, facilitators of informal resolution, decision makers and other persons responsible for supportive measures/Title IX process will have additional training on:

- SSEC's grievance procedures;
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
- The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance; and
- Rules and practices associated with the district's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

In addition, the Title IX Coordinator and designees will receive training on their specific responsibilities, recordkeeping and any other training necessary to implement Title IX.

Records

A record will be maintained for a period of seven years of any actions, including supportive measures or informal resolution, taken in response to a report or complaint and district staff will document the basis for the district's conclusion that its response was not deliberately indifferent.

External Grievance Procedure

Any student, parent or employee who chooses not to use SSEC's internal grievance procedures or who is not satisfied with SSEC's internal grievance procedures may file a complaint of discrimination or harassment with an appropriate state or federal agency.

For complaints related to discrimination/harassment of students:
The Office for Civil Rights, US Department of Education

5 Post Office Square, 8th Floor
 Boston, MA 02109-3921
 Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination
 One Ashburton Place
 Sixth Floor, Room 601
 Boston, MA 02108
 Phone 617-994-6000, TIY: 617-994-6196

For complaints related to discrimination/harassment of parents:
 The Office for Civil Rights, US Department of Education
 5 Post Office Square, 8th Floor
 Boston, MA 02109-3921
 Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

For complaints related to discrimination/harassment of employees:
 The Office for Civil Rights, US Department of Education
 5 Post Office Square, 8th Floor
 Boston, MA 02109-3921
 Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination
 One Ashburton Place
 Sixth Floor, Room 601
 Boston, MA 02108
 Phone 617-994-6000, TIY: 617-994-6196

OR

The Equal Employment Opportunities Commission
 John F. Kennedy Federal Building
 475 Government Center
 Boston, MA 02203
 Phone: 1-800-669-4000

Referral to Law Enforcement, Other Agencies

Some alleged conduct may constitute both a violation of District policies and criminal activity. The building Principal, coordinator, Superintendent, or designee will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant/ alleged victim of the right to file a criminal complaint.

Retaliation

Complainants and those who participate in the complaint resolution process or who otherwise oppose in a reasonable manner an act or policy believed to constitute discrimination are protected from retaliation by law and District policy. The coordinator or designee will inform all involved individuals that retaliation is prohibited, and that anyone who feels that they have experienced retaliation for filing a complaint or participating in the resolution process should inform the coordinator. The coordinator will investigate reports of retaliation and, where retaliation is found, take separate remedial and disciplinary action.

Appendix 2

South Shore Educational Collaborative Non-Discrimination and Anti-Harassment Procedures Except for Title IX

Updated May 2024
Board Approval: 5/17/2024

SSEC Non-Discrimination And Anti-Harassment Policy and Procedures Except for Title IX

It is the policy of The South Shore Educational Collaborative (“SSEC”) to maintain a learning environment that is free from harassment or discrimination of any kind, including sex-based harassment. It is a violation of this policy for any member of the school community to harass or discriminate against another individual as outlined in this policy. Sexual harassment will be addressed through a separate Title IX procedure/policy, but sex-based harassment or discrimination will be addressed through this policy. Any allegation of harassment or discrimination will be investigated, and, if a violation of this policy is substantiated, disciplinary action will be taken. All reports of harassment or discrimination shall be investigated promptly, impartially and in a manner which will preserve the confidentiality of all concerned to the extent practicable under the circumstances.

Any employee, student or third party who believes that he or she has experienced harassment or discrimination on the basis of his or her actual or perceived race, color, creed, ethnicity, religion, national origin, sex/gender, homelessness, disability, sexual orientation, gender identity or age or who has witnessed or learns about the harassment of or discrimination against, another person in the school environment, should inform the Program Administrator of the relevant program or appropriate discrimination/harassment complaint official immediately or as soon as possible. For complaints based on sexual harassment, please follow the SSEC’s Title IX policies and procedures. SSEC further does not deny equal access to or a fair opportunity to meet, or discriminate against, any group officially affiliated with the Boy Scouts of America, or any other youth group listed in Title 36 of the United States Code as a patriotic society

Harassment and discrimination is banned not just at school, during school hours, but also before or after school hours on all school property, including the school bus, school functions, or at school events held at other locations. The policy also applies to any off-campus conduct that causes or threatens to cause a substantial and material disruption at school, or interferes with the rights of students or employees to be free from a hostile school environment taking into consideration the totality of the circumstances on and off campus.

Problems and complaints regarding discrimination and harassment should be resolved in a prompt and equitable manner. When possible, such problems and complaints should be resolved in an informal manner.

I. Reporting Responsibilities

Everyone in the school community is responsible for immediately reporting incidents of harassment, discrimination and/or retaliation, by anyone, in any form, that are directed at or witnessed by them at school or at a school sponsored event or of which they otherwise learn. Failure to cooperate with an investigation of such an incident will result in disciplinary action. Deceptive reporting may also be subject to a disciplinary response.

An individual may report to either the Program Administrator of the relevant program site or appropriate discrimination/harassment complaint official at his or her discretion. Students may additionally report incidents that they believe involve harassment or discrimination to their guidance counselor, any teacher, administrator or any member of the support staff, and the staff member will refer the complaint to the Program Administrator or the discrimination/harassment complaint official. If a School Guidance or Adjustment Counselor, School Nurse, or any member of the teaching staff, is contacted concerning a complaint or possible complaint, he/she should refer the matter to the Program Administrator immediately. Staff who observe conduct which violates this policy are to report the conduct to the Program Administrator immediately.

Employees who need help or wish to talk about harassment should contact their Program Administrator, the appropriate discrimination/harassment complaint official, the perpetrator's immediate supervisor or any other school administrator immediately.

If one of the discrimination/harassment complaint officials is the person alleged to be engaged in discrimination/harassment, the complaint may be filed with one of the alternate officials or any other school employee the student or employee chooses.

The discrimination/harassment complaint official for SSEC is for the following:

- Title II/ Section 504 (disability)
- Title VI (race, color, national origin) and Title VII (employment discrimination based on race, color, religion, sex, national origin)
- Title IX (sex)
- Age Discrimination/Boy Scouts
- Homelessness

The discrimination/harassment complaint official for SSEC is:

Erin Holder
75 Abington Street, Hingham, Ma 02043
781.749.4519 eholder@ssec.org

Program/ building level coordinators for these categories are:
The SSEC Program Administrators

II. Procedures for Investigating

The procedures set forth in this policy may be invoked even if other appeals and adjudication procedures have been provided by state law or federal law. Retaliation in any form for the filing of a complaint or reporting of harassment or discrimination is prohibited and will result in serious disciplinary action.

When a complaint of harassment or discrimination is received by the SSEC, that allegation will be promptly investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and to the extent consistent with the law and collective bargaining agreements. SSEC will not issue any gag orders against the alleged victim or alleged aggressor. The grievance officer or discrimination/harassment complaint official will inform witnesses and others involved in the resolution process of the importance of maintaining confidentiality.

The investigation will include a private interview with the person filing the complaint and with witnesses. The investigation will also include an interview with the person alleged to have committed the harassment or discrimination. Each party will have the opportunity to provide evidence and witnesses.

In certain cases, the harassment of a student may constitute child abuse under state law. SSEC will comply with all legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate authorities.

The specific procedures to be followed in conducting the investigations are set forth more fully below.

1. Any staff member who receives a complaint verbally or in writing concerning harassment or discrimination or observes conduct which he/she believes may constitute harassment or discrimination is required to document the complaint and refer it to the Program Administrator or discrimination/harassment complaint official immediately. Although SSEC encourages a written complaint, use of a formal reporting requirement is not required. Oral reports will be considered complaints as well. The principal or discrimination/harassment complaint official shall ensure that the report is documented in writing within two (2) days of receiving the complaint. The principal must send copies to the relevant discrimination/harassment complaint official within two (2) school days.
2. If the alleged victim or the alleged perpetrator chooses not to utilize the informal procedure, or feels that the informal procedure is inadequate or has been unsuccessful, he or she may proceed to the formal procedure. The informal process is completely voluntary and individuals can opt-out at any time.
3. The informal process will be a voluntary conversation between the alleged victim and the alleged perpetrator, which is facilitated by a school employee or by a designated discrimination/harassment complaint official. If the alleged victim or alleged perpetrator is a student under the age of eighteen (18), the facilitator **will** notify the student's parent(s)/guardian(s) if, after initial consultation with the student, it is determined to be in the best interest of the student. If the alleged victim and the alleged perpetrator feel that a resolution has been achieved, then the conversation remains confidential and no further action needs to be taken. The voluntary conversation must occur within five (5) workdays after receiving the complaint of discrimination or harassment. The results of an informal resolution shall be maintained by the facilitator, in writing.
4. If the alleged victim does not want to deal directly with the alleged perpetrator, or if the matter is not resolved informally, the complainant should immediately notify the Program Administrator or the discrimination/harassment complaint official for formal resolution.
5. For a formal complaint, the alleged victim (or complainant, if not the alleged victim) will be asked to complete the incident form which begins the formal investigation process conducted by the Program Administrator or the discrimination/harassment complaint official. If the alleged victim is not able to complete the form, the principal or discrimination/harassment complaint official will complete it and ask the alleged victim to sign it. If requested, a Guidance / Adjustment Counselor, a School Nurse, or a School Psychologist may assist a student in completing the incident form.
6. During the investigation, the Program Administrator or discrimination/harassment complaint official will:

- Keep the investigation group as small as possible to protect the rights of all parties and to prevent the investigation from becoming overly publicized and to protect the alleged victim (in addition to the complainant, if not the alleged victim) from retaliation.
 - Complete the investigation as soon as possible from the date that it is reported, but no later than thirty (30) work days from the date of the complaint or report, unless impracticable. The investigation will include interviewing the complainant, the alleged victim (if different than the complainant), the alleged perpetrator and such other person(s) named by the complainant, alleged victim (if different than the complainant), or the alleged perpetrator who may have witnessed or have information pertaining to the incident. An opportunity will be provided for all parties to be heard and present witnesses.
 - Throughout the investigation SSEC will maintain on-going contact with the alleged victim. In determining whether the alleged conduct constitutes a violation of this policy, the Program Administrator or discrimination/harassment complaint official shall consider the age and level of understanding of the student(s) involved, surrounding circumstances, any relevant documents, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of SSEC's policy prohibiting discrimination or harassment based on the actual or perceived protected class status of a student, employee or third party, requires a determination based on all of the facts and surrounding circumstances. Given that victims often experience continuing effects of harassment in the educational setting, during the investigative process SSEC will consider off-campus conduct to determine whether there is a hostile environment on campus.
7. After completing the investigation, the Program Administrator or discrimination/harassment complaint official will conclude whether a violation of the policy has occurred or not; complete the written investigation report form and send copies of the report to the discrimination/harassment complaint official, if the Program Administrator is conducting the investigation, the Executive Director, the alleged victim (in addition to the complainant, if not the alleged victim) and the alleged perpetrator. The report shall include:
- A statement of the allegations investigated;
 - A summary of the steps taken to investigate the allegations;
 - The findings of fact based on a preponderance of the evidence gathered;
 - SSEC's conclusion of whether discrimination or harassment did or did not occur;
 - The disposition of the complaint;
 - The rationale for the disposition of the complaint; and
 - If SSEC concluded discrimination or harassment occurred, a description of SSEC's response.

The Program Administrator or the discrimination/harassment complaint official shall determine whether the allegations have been substantiated as factual and whether they appear to be violations of this policy, using a preponderance of the evidence standard. A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred.

If the complaint is supported, the report should recommend what action, if any, is required and will identify what steps SSEC is going to take to prevent recurrence of any discrimination or harassment and to correct its discriminatory effects on the complainant and others, if appropriate.

8. Formal disciplinary actions shall be imposed in the event that the preponderance of the evidence indicates that the alleged conduct occurred. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement. The seriousness of the offense, including the nature and degree of harm caused, shall be considered when deciding the appropriate disciplinary action.
- If the person alleged to have violated this policy is a staff member, possible discipline includes, but is not limited to, letters of reprimand, reassignment, and other disciplinary actions, including suspension or job termination.
 - If the person alleged to have violated this policy is a student, possible discipline includes reprimand, classes or instruction on appropriate behavior, counseling, class transfer, detention, suspension or expulsion, consistent with the Student Code of Conduct.
 - Any discipline of students will focus on changing behavior and ensuring that students learn about the impact of their behaviors and attitudes. Possible remedial action includes:
 - o Interventions for the alleged victim, such as counseling, academic support, health services, assigning an escort to allow the student to move safely between classes, and instruction on how to report other incidents of harassment or discrimination.
 - o Training or other interventions for the larger school community to ensure that students, staff and parents understand the types of behavior that constitute harassment or discrimination, and how to report it.
 - o Interventions for the individual who engaged in the conduct, such as parent notification, counseling, guidance, education about the impact of the conduct, positive behavior support, referral to a student success team, transfer to alternative programs, denial of participation in extracurricular or co-curricular activities or other privileges, and discipline.
 - If it is established that the conduct involves a violation of law, report the matter immediately to the appropriate law enforcement authorities.

9. Appeal Procedure

- The parties have the right to appeal the decision of the Decision Maker to either the current Executive Director of SSEC or the Chair of SSEC’s Board of Directors (depending if the Executive Director acted as decision maker) in writing within ten (10) calendar days after the decision is formally made. The Executive Director or Chairperson of the Board will offer the other party an opportunity to respond in writing and then will send the parties a decision within thirty (30) calendar days.
- Contact information is listed below. All current contact information can also be found on the SSEC website.

SSEC Executive Director	Chair of the SSEC Board of Directors:
Through June 30, 2024	Through June 30, 2024

Rick Reino, SSEC Executive Director 339 201 4518 rreino@ssec.org	Judith Kuehn, Superintendent Hull Public Schools jkuehn@town.hull.ma.us Phone: 781-925-4400 x:1118
Effective July 1, 2024	Effective July 1, 2024
Michael Losche, SSEC Executive Director 339 201 4518 mlosche@ssec.org	Jeffrey Szymaniak, Superintendent Whitman Hanson Public Schools Jeffrey.Szymaniak@whrsd.org Phone: 781-618-7411

III. Interim Measures

SSEC shall take immediate steps to protect the alleged victim, alleged perpetrator, witnesses, and the larger school community pending the completion of an investigation or the informal process and address any ongoing harassment or discrimination.

Examples of interim measures include, but are not limited to:

- Providing counseling services via the school adjustment counselor and/or school psychologist for both the alleged victim and the alleged perpetrator;
- Providing academic support services;
- Ensuring no contact between the alleged victim and alleged perpetrator in District programs and activities (e.g., through stay away orders); SSEC will take care to minimize the burden of such steps on the alleged victim;
- Providing an alternate schedule to ensure that the alleged victim and alleged perpetrator do not attend the same classes;
- Informing the alleged victim of how to report any recurring conduct or retaliation;
- Providing the alleged victim with alternative movement between classes and activities; and
- Making community based referral to medical and counseling services.

If the circumstances suggest a threat to others, the Program Administrator or the discrimination/harassment complaint official will ensure that SSEC informs relevant members of the school community. This may include, for example, notifying employees of areas where harassment or discrimination frequently occurs.

IV. Referral to Law Enforcement and Other Agencies

Some alleged conduct may constitute both a violation of District policies and criminal activity. The Program Administrator or the discrimination/harassment complaint official will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant of the right to file a criminal complaint.

The Program Administrator or the discrimination/harassment complaint official will follow this procedure regardless of whether the alleged conduct is also being investigated by another agency, unless the fact finding process would impede a law enforcement investigation. In such cases, the Program Administrator or the discrimination/harassment complaint official will determine whether interim measures to protect the well-being of the complainant and the school community and prevent retaliation are needed while the law enforcement agency's fact-gathering is in progress. Once notified that law enforcement has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the Program Administrator or the discrimination/harassment complaint official will promptly resume and complete the investigation.

Additionally, several behaviors listed as harassment may also constitute physical abuse. Thus, under certain circumstances, alleged harassment may also constitute physical abuse under Massachusetts law. Such harassment or abuse is subject to the duties of mandatory reporting and must be reported to the Department of Children and Families within twenty-four (24) hours of the time the educator becomes aware of the suspected abuse. All school personnel are identified as being mandatory reporters.

V. Conflict of Interest

If there is a conflict of interest with respect to any party affected by this policy, appropriate accommodations will be made, such as, but not limited to, appointing or contracting with a neutral third-party investigator to conduct the investigation, or recusing from the process the person for whom a conflict or potential conflict of interest exists.

VI. Retaliation

Retaliation in any form for the filing of a complaint, the reporting of discrimination, including harassment, or participating in an investigation is prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. If retaliation is established, it can be considered grounds for disciplinary action. Any allegations of reprisal will be subject to the same kind of investigation and disciplinary action as described above. The Program Administrator or the discrimination/harassment complaint official will inform all involved individuals that retaliation is prohibited, and that anyone who feels they have experienced harassment, coercion, intimidation, or discrimination for filing a complaint or participating in the resolution process should inform the Program Administrator or the discrimination/harassment complaint official.

VII. Right to Alternative Complaint Procedures

In addition to the remedies set forth above, if you believe you have been subjected to harassment or discrimination, you may file a formal complaint with the government agency or agencies set forth below. Using the SSEC complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim.

A. Students

If you believe you have been subjected to harassment or discrimination, you may file a formal complaint with:

- Massachusetts Department of Elementary and Secondary Education
Program Quality Assurance Services
75 Pleasant Street, Malden, MA 02148-4906

Phone: (781) 338-3700

FAX: (781) 338-3710

Email: compliance@doe.mass.edu

The time period for filing a claim is one year from the action.

- United States Department of Education
Office for Civil Rights("OCR")
5 Post Office Square
Boston, MA 02109
tel. (617) 289-0111
The time period for filing a claim with the United States Department of Education Office for Civil Rights is 180 days.

B. Employees

If you believe you have been subjected to harassment or discrimination, you may file a formal complaint with either or both of the government agencies set forth below:

- United States Equal Employment Opportunity Commission ("EEOC")
JFK Federal Building, Room 475
Boston, MA 02203
tel. (800) 669-4000
The time period for filing a claim with the EEOC is 180 days.
- Massachusetts Commission Against Discrimination ("MCAD")

<u>Boston Office</u>	<u>Springfield Office</u>
One Ashburton Place, Rm. 601	436 Dwight Street, Rm. 220
Boston, MA 02108	Springfield, MA 01103
(617) 994-6000	(413) 739-2145

The time period for filing a claim with the MCAD is 300 days.

Appendix 3

South Shore Educational Collaborative
Bullying Prevention and Intervention Plan
2023 - 2025

SSEC Board of Directors Approval: 12/8/2023

To be reviewed and updated in 2025.

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BULLYING LEGISLATION SUMMARY

On May 3, 2010, Governor Patrick signed a new bullying legislation designed to expand a school district's obligations in terms of monitoring, reporting, and investigating all types of bullying, including cyber-bullying. This legislation contains an educational component for all staff and curriculum requirements for

all students in grades K-12. This law applies to both public and private schools. (Please reference M.G.L. c.71, § 370 and the amended regulation through Chapter 86 of the Acts of 2014.)

All schools are required to create a bullying prevention and intervention plan. The following key components are required by law and are, therefore, contained within the South Shore Educational Collaborative Bullying Prevention and Intervention Plan:

1. A professional development plan must be established for all staff
2. Each district or school must establish a bullying prevention and intervention plan
3. A K-12 curriculum on bullying must be adopted for all K-12 students
4. Reporting requirements for all staff who witness or have knowledge of any bullying incident must be implemented
5. Investigation and disciplinary policies must be instituted for the act of bullying
6. When criminal charges may be appropriate, notification of law enforcement is needed
7. Resources and information will be available to parents and guardians including curricula, the dynamics of bullying, online safety, and cyberbullying.

RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, sexual orientation or gender identity. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H, 37H½ or 37H3/4, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

ASSESSING NEEDS AND IDENTIFYING RESOURCES

The Bullying Prevention and Intervention Plan was developed through a collaborative school community process. Representatives from the following groups are a part of the Bullying Prevention and Intervention procedures.

- Administration: Executive Director, Program Directors, Assistant Directors, Clinical Director
- Parents, Guardians and Students
- Facility, Technology, Office and Food Service Personnel

Additional Groups and/or Organizations may provide information and data to assist in identifying the needs of the district as it relates to bullying prevention and intervention. These groups and organizations may include, but are not limited to the following:

- South Shore Mental Health

- Member School Districts
- Massasoit Community College
- Massachusetts Aggression Reduction Center (MARC) at Bridgewater State University.
- Community sites of employment

Additionally, Program Directors meet with student groups to further assess SSEC needs related to bullying prevention and intervention. There is ample time for students, staff, and administrators to assess the collaborative needs.

At least once every four years, beginning with the 2015/16 school year, the Collaborative will administer a survey to both students and to parents to assess school climate and the prevalence, nature, and severity of bullying in our schools.

PRIORITY STATEMENT

The South Shore Educational Collaborative Values:

- Safety
- Respect
- Relationships
- Growth

The South Shore Educational Collaborative expects that all members of the school community will treat each other in a manner that demonstrates respect for individuality and diversity. All types of bullying, cyber-bullying, and retaliation are prohibited. This law extends to circumstances where a student feels bullied by school personnel. Any confirmed instances of bullying will be subject to actions and consequences as outlined in the South Shore Educational Collaborative Bullying Policy.

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

The school programs at South Shore Educational Collaborative use the following approaches to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- ensure ready access to staff members by maintaining strong staff to student ratio
- 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.

The South Shore Educational Collaborative is committed to working with students, staff, families, the community, and law enforcement in preventing all types of bullying. This Bullying Prevention and Intervention Plan has been established for the prevention, intervention, and timely response to reported incidents of bullying, cyber-bullying, and retaliation.

DEFINITIONS

As cited in An Act Relative to Bullying in Schools, Chapter 92 of the Acts of 2010 and A Summary for Parents and Guardians, and Student Handbooks as prepared by the Massachusetts Department of Elementary and Secondary Education.

Definition of Bullying: Bullying as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

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

Definition of Cyberbullying: Cyberbullying is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Scope of Definition of Bullying:

Bullying is prohibited:

- 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,
- at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school,
- or through the use of technology or an electronic device owned, leased or used by a school district or school.

Bullying extends to occurrences:

- at a location, activity, function or program that is not school-related,

- or through the use of technology or an electronic device that is not owned, leased or used by a school district or school 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.

Definition of Hazing: Hazing is 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. See M.G.L. c. 269 § 17 for the full definition of hazing.

Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

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

The legislation broadly defines bullying both on and off school grounds. The South Shore Educational Collaborative interprets this to mean that the school is required to investigate alleged instances of bullying that may occur off school grounds if a connection can be found between the conduct and a hostile environment at school or how the alleged conduct disrupts the “educational process” at school.

RELATED TERMINOLOGY AND DEFINITIONS

Aggressor is a student or staff member who engages in bullying, cyber-bullying, or retaliation.

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.

Target is a student against whom bullying, cyber-bullying, or retaliation is directed.

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.

School Staff: includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

PROFESSIONAL DEVELOPMENT

All staff will be required to participate in annual professional development training for the prevention of bullying. This training will include both educational and non-educational staff, including but not limited to

administrators, teachers, clinicians, building maintenance, office staff, club/activity advisors, and all paraprofessionals.

To expedite the training process, the South Shore Educational Collaborative will implement a train-the-trainer model to ensure that all staff are trained in a timely manner. Many of our educators and administrators have received instruction in conducting bullying prevention and intervention training through the Massachusetts Aggression Reduction Center (MARC)*.

Standards: - All staff will receive training that includes the following standards:

1. Developmentally appropriate strategies to prevent bullying incidents
2. Developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents
3. Information regarding power differentials and the often complex interactions that occur between and among an aggressor, a target, and witnesses to a bullying incident
4. Clarification of the duties in responding to incidents of bullying in which the perpetrator is a staff member.
5. Current research on bullying, including
 - a. Students at risk for bullying
 - b. Indicators of bullying behavior
 - c. Categories of students at risk as aggressors
6. Information on the incidence and unique nature of cyber-bullying
7. Information on Internet safety issues related to cyber-bullying

Training Schedule:

- Annual in-district training for all staff
- Initial training of 90 minutes minimum for all staff
- Additional training available for targeted staff including, but not limited to administrators, clinicians, nurses, and other personnel more likely to witness bullying or receive reports of bullying
- Training is required for all new hires with review of SSEC's Bullying Policy.
- Bullying Prevention and Intervention training, along with other SSEC Policy review and annual training, is included in the initial stages of the Teacher Mentor Induction Program.

Additional Professional Development:

- Specific extended cyber-bullying training
- Distribution of literature related to bullying and cyber-bullying
- Resources / links available on website
- Webinars and teleconferences related to bullying and cyber-bullying
- Out-of-district professional development such as provided by *MARC, District Attorney's office, legal offices, and other venues
- Additional targeted professional development will be provided based on the needs and/or concerns identified by staff and administration

* Massachusetts Aggression Reduction Center (MARC), located at Bridgewater State College, is recognized throughout the Commonwealth as a leader in bullying and cyber-bullying prevention and awareness.

EDUCATIONAL REQUIREMENTS & CURRICULUM PLAN

Per the legislation, every program within the South Shore Educational Collaborative will implement a curriculum that addresses bullying prevention using age appropriate instruction. A standard, evidence-based curriculum is implemented for all grades, based on the statewide academic standards developed by the Department of Elementary and Secondary Education.

In addition, the following curriculum resources and activities are used to guide a bullying prevention program that teaches students about:

1. Types of bullying including cyberbullying
2. Strategies for dealing with aggressors
3. Ways for students to report bullying
4. Conflict resolution
5. Respectful and empathetic approaches to working and playing with those who are different from you

Curriculum Resources, Programs and Activities: The following curricula is used to guide educators in age appropriate bullying prevention and intervention instruction:

Time Frame	When / What	Who	Gr.	Focus
Beginning of school year	Aug / Sept PD	New staff		Anti-Bullying and Cyberbullying Staff training (attendance must be taken)
	PD	Returning staff		Anti-Bullying and Cyberbullying Staff training (program preference for time of year and if combined with new staff or not) (attendance must be taken)
	Aug / Sept / Oct	Students	K-12	Anti-Bullying and Cyberbullying Age appropriate, program specific student trainings (attendance must be taken)
	Every 1 year (Fall/Winter)	SSEC Anti-bullying Trainers		SSEC programs aim to have one staff member receive instruction and certification in conducting bullying prevention and intervention training through the Massachusetts Aggression Reduction Center (MARC)
	Resources and Materials	Parents / Guardians		Parent informational literature is distributed to parents at SSEC's Open House and made available in the main offices. This information will include: <ul style="list-style-type: none"> - how parents and guardians can reinforce the curriculum at home and support the school district or school plan; - the dynamics of bullying; and - online safety and cyber-bullying
	October National Bullying Awareness	Students / Staff	K-12	Collaborative recognition of National Bullying Awareness Month with the help of SSEC - Administration, SSEC MARC certified trainers and student councils across programs.

	Month			<p>(Could include: -Plan for National Stop Bullying Day in Oct. -Plan for Anti-Bullying week in Nov. -Plan for Pink Shirt Day in Feb</p> <p>-MARC center student curriculum (K-12) addressed throughout the month to varying degrees and adaptations across all programs.</p> <p>-Cross program activities to promote role models, kindness and positive behavior.</p>
On-Going throughout the school year	On-going	Staff Training	K-12	On going, staff, Anti-Bullying and Cyberbullying professional development via team meetings, clinical reviews and specific situations as needed.
	On-going	Staff Discussion & Review	9-12	High School Staff in SSEC's SSHS and CHS hold daily reviews with program designated staff at the end of the day.
	On-going	Student teaching & training	K-12	SSEC programs (Q/CHS/SSH/MINI/COMM) hold ongoing, social skills teaching and training with students addressing topics such as but not limited to Communication, bullying, social skills, self-advocacy and self regulation to various degrees depending on age appropriateness and developmental level.
	With D.A.R.E. certified SRO	Student training D.A.R.E	MS: 7&8 HS: 9&10	For the 2023-2024 & 2024-2025 school year, SSEC's SRO/D.A.R.E. Officer provides a six week course for HS age students and a twelve week course for Middle school age which includes a class on Bullying.
	1 x per year	Student training	K-12	SSEC Students in Elementary, Middle and HS will have the option to participate in age appropriate presentations by the District Attorney's office on Cybersense
	1 x per year	Student training	K-12	SSEC Students in Elementary, Middle and HS will have the option to participate in age appropriate presentations by the MARC center
	Individual Clinical Meetings	Student	K-12	Clinicians meet with students individually to address concerns and provide supportive measures as needed.
	Program Clinical Team Meetings	Staff		Q/SSHS/CHS hold weekly meetings of clinical team staff and the program director to discuss individual students and the program overall
	Collaborative Clinical Team meetings	Directors/ Clinicians		Monthly meetings of the Administrative Leadership team with appropriate program clinical team staff and when available, SSEC's consulting

				Developmental Behavioral Pediatrician, to discuss individual student needs and the programs overall.
	Every 2 years: HS Health / Wellness curriculum	HS Students	9-12	Students participate in a Health and Wellness class which includes units on Healthy relationships, peer relationships and resolving conflicts.

REPORTING REQUIREMENTS

The bullying legislation imposes mandatory reporting requirements for *all* members of the school staff to immediately report any instance of bullying or retaliation. Staff members must report incidents, which they have either witnessed or become aware of, to the Director, the clinician, or both. The form identified as the “South Shore Educational Collaborative Bullying Prevention and Intervention Incident Reporting Form” can be found in the appendix section of this Bullying Prevention and Intervention Plan. It can also be accessed on the SSEC website as a downloadable PDF or in an electronic format as a google doc. A copy of the reporting form will also be available in the following locations:

- Student Handbook
- Main office of each Program
- Clinicians’ Offices
- Nurses’ Offices
- SSEC Website

Anyone can report a bullying or retaliation incident, including students, staff, parents or guardians. Reports may be made in writing or orally to the Director or another staff member. Reports may also be made anonymously to the director of each program, or to Executive Director, Rick Reino at 781-749-7518 ext. 1618, or at rreino@ssec.org. However, no disciplinary action shall be taken against a student solely on the basis of an anonymous report. In the case that the Program Director or Assistant Director is the perpetrator of the alleged bullying, the report would be submitted to the Executive Director. If the Executive Director is the perpetrator of the alleged bullying, the report is submitted to the Board of Directors. Contact information is included on the SSEC website.

Data Reporting:

Every Program Director will submit data regarding alleged and confirmed incidents of bullying and the response and interventions. This information will be submitted annually by the close of the school year, to the Executive Director who will submit a compilation of the data to the Department of Elementary and Secondary Education.

INVESTIGATION, DISCIPLINARY POLICIES, AND SPECIAL CONSIDERATIONS

1. Safety

Before fully investigating the allegations of bullying or retaliation, the program director or the designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; 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 or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The program director or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

Examples include but are not limited to,

- Potential change in schedule to decrease shared time/space within the program
- Increase in staff supervision during shared time/space
- Potential staff escort during transition time
- Availability of assigned counselor and an on demand counselor (if own counselor is absent or unavailable) if needed during the school day
- Continued education and awareness in Civil rights, Discrimination violations, Bullying and Harassment.
- Continued education and awareness of the impacts of Cyberbullying.
- SRO visibility in the program on a daily basis providing support and resources as needed.

2. Obligations to notify Others

- a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the program director or designee will promptly notify the parents or guardians of the target and the student aggressor of this, and of the procedures for responding to it. There may be circumstances in which the program director or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. Notice to Another School or District. 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.
- c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the program director or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the program director will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the

program director or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the student aggressor.

In making this determination, the program director will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the program director or designee deems appropriate.

3. Investigation

The program director or designee will promptly investigate all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the program director or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The program director or designee (or whoever is conducting the investigation) will remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the program director or designee, other staff members as determined by the program director or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the program director or designee will maintain confidentiality during the investigative process. The program director or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the program director or designee will consult with legal counsel about the investigation.

4. Determinations

The program director or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the program director or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The program director or designee will:

- 1) determine what remedial action is required, if any, and
- 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the program director or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or student aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The program director or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what

action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the program director or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

The program director or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

5. Responses to Bullying

SSEC's strategies for students' skill building, and other individualized interventions that may be taken in response to remediate or prevent further bullying and retaliation are as follows:

a. Teaching Appropriate Behavior Through Skills-building

Upon the program director or designee determining that bullying or retaliation has occurred, the law requires that the school use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O (d) (v). Skill-building approaches that the program director or designee may consider include:

- planning individual and/or small group skill-building sessions based on the programs anti-bullying curriculum
- providing relevant educational activities for individual students and/or groups of students, in consultation with guidance counselors and other appropriate school personnel
- implementing a range of academic and nonacademic positive behavioral supports to help students understand prosocial ways to achieve their goals
- discussions with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home
- making a referral for evaluation.
- Reinforcement and consistency by way of behavioral intervention plans

b. Taking Disciplinary Action

If the program director or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the program director or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's or district's code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the program director or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

c. Promoting Safety for the Target and Others

The program director or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the program director or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

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

Confidentiality

Confidentiality should be maintained throughout the reporting, investigation, and disciplinary process. Confidentiality will be used to protect anyone who reports bullying or retaliation, who provides information during an investigation, or who is witness to or has reliable information about an act of bullying.

Special Education

As required by M.G. L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines that a child has a disability which affects "social skills development" or the student is "vulnerable to bullying, harassment or teasing because of the child's disability," the Team will determine what to include in the IEP to address the skills and/or proficiencies needed to avoid and respond to these issues. Cognitively appropriate resources will be used with special education students to assist in teaching bullying prevention and intervention skills.

Internet & Electronic Communication Device Use

The South Shore Educational Collaborative has an Acceptable Use Policy (AUP) that guides the use of electronic communication devices and other technologies in the district. The AUP will be reviewed annually to ensure that the content of the AUP reflects the rapidly changing technologies and related safety concerns. All students, employees, and parents will be notified of the policy and will be required to sign the AUP.

SUPPORT FOR STUDENTS AND FAMILIES

The South Shore Educational Collaborative is committed to ensuring that our students and staff feel safe and supported within the school community. The SSEC will continue to work with students, staff, parents and guardians alerting all to the need for more heightened observation of bullying behaviors.

The school or district expects students, parents or 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 or designee, or superintendent or designee when the program director or assistant program director is the alleged aggressor. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a 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 or designee, or superintendent or designee when the program director or assistant program director is the alleged aggressor.

The program director or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

When deemed appropriate by the director, the SSEC will provide counseling or other support for both aggressors and targets. The SSEC will also assist students and families with access to both school and community resources.

PARENT/COMMUNITY OUTREACH

Parents and guardians will receive annual written notice of student-related sections of the Bullying Prevention and Intervention Plan. The SSEC will make resources available to parents and the community to assist in bullying prevention and intervention. The following Bullying Prevention and Intervention links will be available on the South Shore Educational Collaborative website:

[Massachusetts Aggression Reduction Center](#)

[Pacer Kids Against Bullying](#)

[StopBullying.gov](#)

In compliance with Chapter 86 of the Acts of 2014 amended Section 37O of chapter 71 of the General Laws, any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Problem Resolution System (PRS). That information can be found at:

[Problem Resolution System - Massachusetts Department of Elementary and Secondary Education](#) or email them at: compliance@doe.mass.edu or individuals can call 781-338-3700.

Hard copies of this information are also available at the administration office at 75 Abington Street, Hingham.

Parent information will be shared by the South Shore Educational Collaborative, the District Attorney's Office, the Massachusetts Aggression Reduction Center, etc.

