



SPECIAL EDUCATION

COLLABORATIVE



ADULT SERVICES



Merrimack Education Center

EXPERIENCE INSIGHT INNOVATION

The Center for Occupational Awareness and Placement (COAP)

The Supported Center for Occupational Awareness and Placement (SCOAP)

**Student Manual
2006 – 2007**



Merrimack Education Center

MSEC

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Program Hours

The Center for Occupational Awareness and Placement (COAP) and Supported Center for Occupational Awareness and Placement (SCOAP) Programs hours are Monday through Friday, 8:30 a.m. – 2:30 p.m. The S/COAP Programs are 12-month programs (220 days).

Session Dates for 2006-2007

Summer Program

July 5 to August 22, 2006

Session I

August 29, 2006 - January 19, 2007

Session II

January 22, 2007 – June 19, 2007



Program Calendar

Merrimack Special Education Collaborative

COAP, SCOAP & STW

2006-2007

July 2006							August 2006							September 2006							October 2006						
S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S
						1			1	2	3	4	5						1	2	1	2	3	4	5	6	7
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
16	17	18	19	20	21	22	20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
23	24	25	26	27	28	29	27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				
30	31																										

November 2006							December 2006							January 2007							February 2007						
S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S
			1	2	3	4					1	2	1	2	3	4	5	6					1	2	3		
5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13	4	5	6	7	8	9	10
12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20	11	12	13	14	15	16	17
19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27	18	19	20	21	22	23	24
26	27	28	29	30			24	25	26	27	28	29	30	28	29	30	31				25	26	27	28			
							31																				

*Nov. 22 half day Noon Dismissal

March 2007							April 2007							May 2007							June 2007						
S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S
			1	2	3		1	2	3	4	5	6	7			1	2	3	4	5					1	2	3
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
25	26	27	28	29	30	31	29	30						27	28	29	30	31			24	25	26	27	28	29	30

	No School		1/2 day
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*Summer Session Program Opens, Wednesday, July 5, 2006

*Programs Closes, Tuesday, August 22, 2006

Fall Programs Opens Tuesday, August 29, 2006

MSEC Staff Orientation Day, Tuesday, September 5, 2006

Programs Closes, Wednesday, June 19, 2007

Staff Development, Friday, April 6, 2007

Program Hours 8:30 – 2:30 pm

*Extra days will be added to the calendar should snow days occur

Snow Policy: Cancellations and delays according to the Billerica Public School System



List of Holidays for 2006-2007

July 5	First Day of School	
August 29	First Day of Fall Session	
September 4	Labor Day	
September 5	Staff In Service Day	<i>No School</i>
October 9	Columbus Day	
November 10	Veterans Day (observed)	
November 22*-24	Thanksgiving Recess	<i>*22nd Half-Day 12:00 noon dismissal</i>
December 23 – January 2	Winter Recess	
January 15	Martin Luther King Day	
February 19-23	February Recess	
April 6	Staff In Service Day	<i>No School</i>
May 28	Memorial Day	
June 19	Last Day of School	

****Please note: Snow days have not been accounted for. Any necessary make-up days due to inclement weather will be added to the end of the calendar.**



School Closing Due to Inclement Weather

S/COAP follows the Billerica Public School System for cancellations due to inclement weather. If the Billerica Schools are closed, S/COAP will be closed.

Program Goal

The Center for Occupational Awareness and Placement (S/COAP) strives to provide students with as many opportunities as possible to assist them in assessing their strengths and aptitudes.

The goal of the S/COAP program students, aged 14 - 22, vocational, academic, social and life skills training that will assist them in attaining their highest level of independence and integration into the community.



Program Description

S/COAP is a vocational training program serving young adults with special needs ages 14-22. Students at S/COAP learn functional academics, independent living skills and vocational aptitudes through classroom activities and community based work experiences.

While in the S/COAP program, students participate in a 7 week summer program as well as two 19-week cycles. The classroom activities focus on the development of functional academics based on the Massachusetts Curriculum Frameworks, social skills/awareness, independent living skills and vocational awareness. Students typically begin their vocational training in the Merrimack Special Education Collaborative (MSEC) businesses.

MSEC offers training at a number of community based work sites. MSEC has developed partnerships with companies such as Curriculum Associates, D'Youville Senior Center, 3M Corporation, The Boston Globe, Royal Crest Estates Apartment Community, TJX Companies, Cintas Corporation, Bristol Meyers Squibb Pharmaceuticals, and The Billerica Housing Authority. In addition, MSEC runs 3 community based businesses including: A New Leaf Plant Care, Community Catering Company and Petalworks Crafts.

As students approach graduation, the student, parents and/or guardians, representatives from the school district, and S/COAP staff evaluate the student's ability to obtain a competitive job placement. If the student needs further services prior to competitive placement, he/she is referred to the Department of Mental Retardation, the Department of Mental Health, and/or the Massachusetts Rehabilitation Commission for future support services. A transition meeting is planned during the last year of school to help the student and family transition from student to adult services.

If the student is ready for employment, he or she will be involved in the entire process of obtaining a job. Resume writing, mock interviews, and self-advocacy become part of their curriculum. Contacts are made with area businesses and interviews are scheduled. Once the student has secured a position, support and on-the-job training is provided. S/COAP then offers on-going follow-up services in the form of phone calls, site visits, and retraining as necessary.



S/COAP Admission and Referral Policy

S/COAP prepares students to function in employment through systematic job awareness exploration, training and placement. Students are between the ages of 14 and 22 when referred by their local school system. Students must have basic functional self-help skills and semi-independent work skills with moderate supervision.

Special Education Administrators should forward a referral packet to the Vocational Program Manager. This packet should include a current Individual Education Program (IEP), psychological testing results, teacher reports, social family history, reports from previous placements, information on special physical conditions or limitations, and reports from other professionals/agencies that may prove beneficial, i.e. therapist, Department of Social Services (DSS) social workers.

Graduation Requirements

Upon entry into the S/COAP program, the team will determine whether the student will be working for credit towards a diploma from their area high school. If so, the S/COAP staff will work closely with the Director of Guidance from the sending town to ensure that the student receives the appropriate courses and credits required by his/her town for graduation.



Team Evaluation and Policies and Procedures

The Vocational Program Manager and Administrators of Special Education from the public schools work together to organize the process for the development of IEPs.

The Special Education Administrator is responsible for sending out meeting notices to parents. This notice is sent to the Vocational Program Manager and is kept as part of the student's record. The Collaborative's teaching staff and therapists are responsible for developing the profile of the student, along with proposed goals and objectives which can be utilized at the IEP meeting as a tool for discussion. The participants in the evaluation team meeting include: the chairperson from the student's Local Educational Agency (LEA), Vocational Program Manager, current teacher, relevant vocational staff, parent(s) or guardian (s) request or by request of the Administrator of Special Education.

The LEA representative will chair the meeting. After the plan has been reviewed and changes and additions made, the LEA will address the parent(s) and/or guardian(s) and inform them of their legal rights regarding this educational plan. They may be given a choice to sign the plan at the time of the meeting or be requested to take the plan home and send it back when they have had sufficient time to thoroughly review it. Following the completion of this process, the LEA will provide a copy of the signed education plan to the Vocational Program Manager and the parent(s) or guardian(s). The LEA will provide a statement of parent(s) or guardian(s) rights at the time of the meeting or in the mail with the IEP.



Procedure for IEP (Individual Educational Program) and Progress Reports

Program Manager and Administrators of Special Education from the public schools work together to organize the process for the development of IEPs. The LEA is responsible for sending out a notice to parents of the meeting. This notice is copied to the Program Manager and is kept as part of the student's record. The Collaborative teaching staff and therapists are responsible for developing the profile and the student goals and objectives which can be utilized at the IEP meeting as tools for discussion. The participants of the evaluation team meeting are the LEA, current teacher from the Collaborative, parent(s) of the student, the student (17 years old and under with parent authorizations and 18 years old and over at their own request), other persons at the parent's request and expense, other individuals who have conducted assessments provided that at least one teacher or specialist is trained in the area of the student's suspected special need, and other individuals determined by the administrator of special education, i.e., nurse, psychologist, physician, adjustment counselor.

The LEA representative will chair the meeting. Given the form for the IEP in the upper right hand corner, the liaison space will be filled in with the current teacher's name and the liaison from the LEA. Therefore, there will be contact persons from both organizations who directly know the student. On the IEP, the liaison will read the current teacher's name/the liaison from the LEA. After the plan has been reviewed and changes and additions made, the LEA will address the parents and let them know of their legal rights regarding this educational plan. They may be given a choice to sign the plan at the time of the meeting or be requested to take the plan home and send it back when they have had time to review it. Following the completion of this process, the LEA will provide a copy of the signed education plan to the Vocational Services Manager. The LEA will provide a statement of parent(s) rights at the time of the meeting or in the mail with the IEP.

Progress reports will be completed by all programs four times each year.* In all cases the quarterly reports will be provided to the LEA and to the parent and will be kept on file at the Collaborative office as per request of the Department of Education (DOE).

*If an IEP is held during one of the four quarters, a letter of progress is sent to parents and Special Education Directors, in lieu of a Progress Report.



Home/School Contact

The S/COAP staff contact parents or guardians quarterly via a telephone conversation to keep parents informed of a student's progress. Conversations will be logged and kept in the student's file. Additional contact is made as needed.

A daily communication book may be used for students who cannot relay information to parents or guardians or to assist in the continuity of behavior management programs at home and school.

S/COAP has an open house every year in the fall. This event provides parents the opportunity to hear about any new program developments planned for the coming year.

S/COAP staff conducts parent conferences as deemed necessary to provide an opportunity for parents and staff to discuss progress, issues, and concerns. If home intervention strategies need to be developed, staff assists families in developing behavior plans.

Parent/Guardian workshops are offered throughout the year. Past topics have included: Over - 22 Services, Supplemental Security Income (SSI), Estate Planning and Behavior Management.

Parents are always encouraged to contact S/COAP if they need assistance. If serious issues arise at home or at school, the S/COAP teacher will assist parents in problem solving.



School Council

The School Council of the MSEC is a representative committee composed of the MSEC staff and parents or guardians of students attending the school. Parents shall have parity with professional personnel on the school council.

The School Council shall meet regularly and shall assist in the identification of the educational needs of the students attending the MSEC, assist in review of the annual school budget, and assist in the formulation of school improvements.



Student Rights

Students have the responsibility to respect the rights of all persons involved in the program and to exercise the highest degree of self-discipline in observing and adhering to legitimate rules and regulations. Responsibility is inherent in the exercise of every right. It is impossible to list all students' rights, but it must be emphasized that lack of responsibility means a weakening of rights of others.

Therefore, if a student should violate the rights of others, it is his/her responsibility to compensate that person or property. The following is a working sample of students' rights.

1. Students have the right to a meaningful education that will be of value to them for the rest of their lives.
2. Students have the right to the maintenance of high educational standards. The maximum potential of the student must be developed.
3. Students have the right to a meaningful curriculum and the right to voice their opinions in the development of such a curriculum.
4. Students have the right to safe buildings and sanitary facilities.
5. Students have the right to respect from teachers and administrators, which would exclude their being subjected to cruel and unusual punishments, especially those which are demeaning or derogatory, or which diminish their self-esteem.
6. Students have the right to express their opinions and feelings.
7. Students have the right to use school supplies and facilities and work in a clean, organized environment.
8. Students have a right to socialize with teachers and friends and enjoy themselves.



Vandalism

School pride is enhanced by a well maintained and clean building. We hope that all students will share in this belief. Students involved in vandalism will be required to reimburse the school for the materials and labor necessary to fix any damage they cause.

Corporal Punishment

The power of any teacher or other employee or agent of the MSEC to maintain discipline upon school property shall not include the right to inflict corporal punishment upon any pupil.

Pregnant Student

Pregnant students will be permitted to continue in school in all instances when continued attendance has the sanction of the expectant mother's physician. The physician's approval must be on file at the school. The student and the physician, in cooperation with the school staff, will develop an appropriate educational plan if it is agreed she should no longer attend school regularly.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction are offered; that return to school after delivery is encouraged; and that every opportunity to complete the program is provided.



S/COAP Disciplinary Procedure

All staff and students have the responsibility to insure that they do not violate the rights of others. Any infraction of the rights of others will be handled individually, based upon the severity of the infraction. It will be necessary that all parties involved be included in the decision of how to resolve the problem. In preparing students for the adult world, it is important that they learn and understand the effect that their behavior has on others.

Any student or staff person who violates the rights of another will be required to compensate that person or the program in some way. Compensation may take the form of time given to another, performing a job around the school, payment for broken property, etc.

Time away from the group is used when a student feels the need to distance him/herself from a certain situation to gain control. We use a quiet area in the school for students who require this space.

The program does not utilize physical restraint as a means of discipline. There is no crisis room should a student consistently lose control and become harmful to him/herself, or others, or where physical restraint may be required. However, protective measures may be necessary to ensure student and staff safety.

In the event that a student repeatedly disrupts others, it will be necessary for the parents and school system to be notified. A meeting will be called, if determined necessary. If a student leaves the school premises, the parents and school system will be notified. The local police will also be notified.



Incident Procedure

1. In the event there is an incident involving a student, staff members will immediately contact their supervisor (Assistant Program Manager or Associate Director).
2. Parents should be notified immediately of the incident.
3. The person who witnessed the incident should write an incident report within 24 hours.

Suspected Child Abuse or Neglect

If abuse or neglect of a student is suspected, the following procedures are to be utilized:

1. The staff person will notify the Assistant Program Manager or Associate Director at once.
2. In case of physical abuse, the school nurse will be notified.
3. All evidence of abuse or neglect will be well documented.
4. As the reporter of such a suspicion, the staff will be required to complete a 51A reporting form. This will be done in conjunction with the Director.
5. Law requires all MSEC staff to report all instances of suspected abuse or neglect.



School Rules

1. **Attendance.** Students are expected to attend on all days. The student or their Parent(s) or Guardian(s) are expected to call the classroom prior to 8:00 A.M. to let staff know if the student is ill or will not be attending school that day. If a student is absent and no phone call is made, a call will be made to the student's home.
2. **Appropriate Language.** Swearing, rude comments, noises, and inappropriate voice levels are not allowed.
3. **Appropriate Dress.** Students are expected to wear appropriate clothes for school or work. If they are working in an office or an outdoor maintenance setting, clothes should be chosen accordingly. The teacher may send home a notice if a particular work site needs the student to wear particular clothing.
4. **Borrowing of Money.** Students are not allowed to borrow money from other students, **purchase** items for other students or sell items to other students.
5. **Transportation.** Students are not allowed to ride home on any bus or van except the one to which they have been assigned.
6. **Appropriate conduct.** Students are expected to follow all school policies regarding waiting in appropriate areas before and after classes. Students are expected to behave in an appropriate manner exhibiting respect for themselves and others.
7. **Leaving the school building.** No student is to leave the school building, work site, or vehicle without permission from the staff. The staff is responsible for each student's welfare, and we expect students to treat the staff with respect and let them know where you are at all times.
8. **Portable Music Players/Electronics games.** Students are not allowed to use any of these **devices** during the school day. If they are brought in for use on the bus, they need to remain in the locker area at all times. Lockers will be provided. S/COAP is not responsible for lost or stolen property.
9. **Cellular telephones/pagers.** At no time are cellular telephones allowed in school.

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10. **Continued violation of any school rules.** Students will be reported to the Director of MSEC for disciplinary action for continued violation of any school rules.



Smoking Policy

The Educational Reform Act of 1993, Section 36 of Chapter 71 calls for the prohibition of tobacco products within the school buildings, facilities, on school grounds, and on school buses. The use of any tobacco products is prohibited within the MSEC school buildings, the school facilities, on the school grounds, or on school buses by any individual, including school personnel.

Enforcement: The success of this policy depends upon the thoughtfulness, consideration, and cooperation of smokers and non-smokers. All individuals share the responsibility for adhering to and enforcing this policy. Any individual who observes a violation may report it in accordance with the procedures.

Students: Any violation of this policy by students shall be referred to the Vocational Service Manager. Students who violate provisions of this policy shall be subject to building student discipline procedures. First time violators shall receive a verbal warning. Second offense will result in a parent-teacher conference. Further offenses will result in a parent-teacher-Vocational Services Manager conference and may result in a suspension from the program.



Possession of Dangerous Weapons

It is MSEC's policy to prohibit the possession of all dangerous weapons in school, on school grounds, school buses, or at any school functions.

Any staff member, who suspects a student to have in his/her possession a dangerous weapon, shall report it to the Vocational Services Manager. Whenever the Assistant Program Manager or Associate Director receives such information, he/she shall investigate and determine the facts. If the Assistant Program Manager or Associate Director finds the student(s) to be in possession of such an object for which there is clearly no known educational use, he/she will confiscate it and notify the parents and if necessary, the police.

Any student possessing a dangerous weapon for a second time shall be suspended under Chapter 766 Regulations.

The Federal Gun-Free School Act of 1994 is Section 14601 of the Improving America's Schools Act, which took effect in October of 1994 and includes re-authorization of the Elementary and Secondary Act (ESEA). This Act deals with expulsion of students. It also includes compliance with the federal special education law (the Individuals with Disabilities Education Act, or IDEA) in cases where the student found in possession of a firearm is a special education student. It does permit the Assistant Program Manager or Associate Director, in cases where a special education student is determined to have brought a firearm to school, to place the student in an interim alternative educational setting as determined by the evaluation team for up to 45 days. The student shall remain in the interim alternative setting pending any special education hearing initiated by the parent, unless the parent and the Assistant Program Manager or Associate Director agrees otherwise.

The new federal law also requires school districts, as a condition of receiving ESEA's funds to (1) report annually to the State Department of Education (DOE) the number of students expelled from each school for possession of a firearm and (2) refer to the Criminal justice or juvenile delinquency system any student who brings a firearm to school.



Suspension of More Than Ten Days

Disciplining students with special needs: Procedures applicable when suspension(s) will accumulate to more than ten days in the school year.

The following provisions shall apply whenever a school committee or educational collaborative proposes to suspend a student with special needs for more than ten cumulative days in a school year. Whenever the term “school” is used in 338.0, it shall include “educational collaborative.

338.1 Definition of Suspension: Suspension shall be defined as any action which results in the removal of a student from the program prescribed in his/her IEP. The term includes in-school suspension as well as any exclusion from transportation services which prohibits the student’s participation in his/her prescribed program.

338.2 General Requirements: Each school committee and educational collaborative shall ensure that:

338.2(a) Its Code of Conduct is on file with the Department of Education and the Code of all student handbooks contain the specific procedures in these regulations for the suspension of a student with special needs:

338.2(b) It has an appropriate procedure to notify the Administrator of Special Education or designee of the misconduct of which suspension of a student with special needs for more than ten (10) cumulative days is proposed so that the procedures required by these regulations can be implemented consistently;

338.2(c) The number and duration of suspensions of students with special needs is recorded and maintained by school officials:

338.2(d) The IEP of every student with special needs indicates why the student is or is not expected to meet the regular discipline code, and if not, what modification of the code is required. If a modified discipline code is required, such modifications shall be described in the IEP; and



338.2(e) No student with special needs is suspended for more than ten (10) cumulative days in the school year except as provided in 338.5 – 338.7.

338.3 Meeting to review IEP and student's special needs: When it is known that the suspension (s) of a student with special needs will accumulate to the (10) days in a school year, a review of the IEP will be conducted as provided in 333.0. Participants in the meeting shall include, but not be limited to, individuals who are trained in the area of the student's special needs. At that review, the review TEAM will determine whether the student's misconduct is related to the student's special needs, or results from an inappropriate special education program/placement or an IEP that was not fully implemented.

Depending on the result of that determination, suspension may or may not be implemented as provided in 338.4 and 338.5.



338.4 Circumstances under which the student may not be suspended for more than ten (10) cumulative days:

338.4(a) If the TEAM concludes that the student's misconduct is related to the student's special needs or results from an inappropriate special education program or placement or an IEP that was not fully implemented, the student shall not be suspended. Instead, the student's IEP shall be revised to reflect a new program or placement designed to meet the student's needs more effectively, or, if the misconduct resulted from an appropriate IEP that was not fully implemented. If revisions of the student's IEP are required, the provisions of these regulations pertaining to development of the amended or new IEP shall apply.

338.4(b) If a new program or placement is designed for the student as a result of the review, the new program or placement shall be implemented immediately following parental approval of the IEP. If the parent refuses consent to the IEP, the school committee or parent may request a hearing to determine the appropriateness of the program pursuant to 401.0.

Alternatively, the parties may seek mediation to resolve the dispute. If a hearing is requested, during the pendency of the hearing, the student shall remain in the last agreed upon educational placement (the placement in effect when the dispute arose), unless another placement is agreed to by the school committee and the student's parent, or a court order permits the school committee to change the student's placement based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or to others. If a court order is sought, the provisions of 338.6 shall apply.

338.5 Circumstances under which suspension may be imposed for more than ten (10) cumulative days:

338.5(a) If the school wished to impose a suspension which will result in more than ten (10) cumulative days of suspension in the school year, and the TEAM concludes that: the student's misconduct is



not related to the student's special needs; is not the result of an inappropriate special education program/placement; and the current IEP was fully implemented, the school shall;

338.5(a)(i) Provide an alternative plan for the delivery of special education services to the student during the period of suspension, which shall be referred to as "the alternative plan;"

338.5(a)(ii) Secure the approval of the alternative plan by the Division of Special Education as provided in 338.6 below; and

338.5(a)(iii) Before the student is suspended for more than ten (10) cumulative days, present the alternative plan to the student's parent along with the written notice required by 317.0. The failure or refusal of the parent to consent to the provision of the services under the alternative plan shall not prevent implementation of the suspension. However, if the parent requests a hearing pursuant of 402.0 the provisions of the 338.5(b) shall apply.

338.5(b) If the parent requests a hearing pursuant to 402.0, the student shall continue in the last agreed upon educational placement (the placement in effect when the dispute arose) pending the hearing unless another placement is agreed to by the parties, or a court order permits the school committee to change the student's placement based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or to others. If a court order is sought, the provisions of 338.7 shall apply.

338.6 Notice to and Approval by the Division of Special Education

338.6(a) Whenever a proposed suspension will result in exclusion of a student with special needs from school for more than ten (10) cumulative days in the school year, the school shall immediately send written notice of the proposed suspension and request for



approval of the alternative plan to the Division of Special Education, with a copy to the student's parent or guardian.

338.6(b) A copy of the alternative plan must be included in the written documentation and the request for approval shall demonstrate that:

338.6(b)(i) The school has complied with procedures required by Goss v. Lopez and by the school's Code of Conduct;

338.6(b)(ii) The school has considered less restrictive disciplinary measures, including modifying the student's IEP to set our specific methods of discipline;

338.6(b)(iii) The disciplinary action is for a stated and limited number of days;

338.6(b)(iv) The action is necessary in light of the needs of the student and other students in the school;

338.6(b)(v) The school administrators have conferred with appropriate special education staff as to the disciplinary action and have followed all the procedures outlined in this paragraph, including notice to the parent/guardian of the right of appeal under 402.0.

338.6(c) The Division of Special Education will review all the information presented by the school officials and approve or reject the alternative plan within five (5) days of receipt.

338.6(d) If the Division of Special Education approves the alternative plan and the parent requests a hearing, the student shall remain in the last agreed upon educational placement (the placement in effect when the dispute arose) pending the hearing unless another placement is agreed to by the parties, or a court permits the school committee to change the student's placement based on a showing that the student's continued presence in school presents a substantial likelihood or injury to the student or to others. If a court order is sought, the provisions of 338.7 shall apply.

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338.7 Court order necessary to authorize suspension: A school committee shall not suspend or exclude a student for more than ten (10) cumulative days during the pendency of a Bureau of Special Education Appeals hearing or judicial proceeding brought to challenge a suspension, proposed suspension, of any determination under this paragraph unless the school committee obtains a court order authorizing a temporary change of the child's educational placement based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or to others.



Student Records

1. A complete file on individual students is to be maintained in a central location in the office. The file is to include current and past IEPs, assessment/evaluation reports, progress reports, correspondence, emergency information and other relevant material.
2. An individual student's records are to remain in the office at all times.
3. Access to the files is limited to MSEC staff and parents. Each time instructional staff use a student's file, they are to record their initials and date on the appropriate sign-out sheet.
4. At no time are portions of a student's file to be duplicated and released to another agency without written permission from the student's parents/guardians.
5. **Chapter 285 of the Acts of 1998**

AN ACT PROVIDING FOR THE DISTRIBUTION OF INFORMATION TO CERTAIN PARENTS OF CHILDREN ENROLLED IN ELEMENTARY AND SECONDARY SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 34G the following section:-

Section 34H.

- (a) Each public elementary and secondary school shall provide the following information in a timely and appropriate manner to the parent of a child enrolled in the school if the parent is eligible for information pursuant to this section and requests the information in the manner set forth in this section: report cards and progress reports; the results of intelligence and achievement tests; notification of a referral for a special needs assessment; notification of



enrollment in a English language learners program established under chapter 71A; notification of absences; notification of illnesses; notification of any detentions; suspensions or expulsion; and notification of permanent withdrawal from school. Each school shall also make reasonable efforts to ensure that other written information that is provided to the custodial parent but not specified in the preceding sentence be provided to the requesting parent if that parent is eligible for information pursuant to this section and requests the information in the manner set forth herein. All address and telephone number information shall be removed from information provided pursuant to this section. Receipt of this information shall not mandate participation in any proceeding to which notification pertains nor shall it authorize participation in proceedings and decisions regarding the child's welfare which are not granted through the award of custody. For purposes of this section, any parent who does not have physical custody of a child shall be eligible for the receipt of information pursuant to the procedures of this section unless said parent has been denied legal custody of the child based on a threat to the safety of the child or to the custodial parent, or who has been denied visitation, or who has been ordered to supervised visitation, or whose access to their child or to the custodial parent has been restricted by a temporary or permanent protective order unless said protective order, or any subsequent order which modifies said protective order, specifically allows access to the information described in this section.

- (b) A parent eligible for information pursuant to this section who wishes to have this information shall submit a written request to the school principal annually. The initial request shall include: a certified copy of the probate court's order or judgment relative to the custody of the child indicating that the requesting parent has not sought and been denied shared legal custody as defined in section 31 of chapter 208 based on a threat to the safety of the child or the custodial parent and is entitled to unsupervised visitation with his child, or a certified copy of an order by a probate and family court judge specifically



ordering that this information be made available to the requesting parent which certifies on its face that it is being made after a review of the records, if any, of the judgment of custody and the criminal history of the petitioner, that provision of the requested information has not been determined to pose a safety risk for the custodial parent or to any child in the custodial parent's custody and that it is in the best interest of the child that such information be provided to the petitioner; and an affidavit from the requesting parent certifying that the judgment or order remains in effect and that no temporary or permanent protective order restricting access to the custodial parent or to any child in the custodial parent's custody is in effect.

- (c) Upon receipt of a request for information pursuant to this section the school shall immediately notify the custodial parent of the receipt of the request. Notification must be made by registered mail and by first class mail in both the primary language of the custodial parent and in English. The school may seek reimbursement for the cost of postage from the requesting parent. The notification shall also inform the custodial parent that information requested pursuant to this section shall be provided to the requesting parent after 21 days unless the custodial parent provides to the principal of the school documentation of any court order which prohibits contact with the child, or prohibits the distribution of the information referred to in this section or which is a temporary or permanent order issued to provide protection to the custodial parent or any child in the custodial parent's custody from abuse by the requesting parent unless said protective order or any subsequent order which modifies said protective order, specifically allows access to the information described in this section.
- (d) In each subsequent year, the parent eligible for information pursuant to this section shall indicate in the annual request that he continues to be entitled to unsupervised visitation with his child and to be eligible for the receipt of the information pursuant to this section. Upon receipt of a request for information pursuant to this section the school shall immediately notify the custodial parent of the receipt of the request. Notification shall be made by registered mail and by first



class mail in both the primary language of the custodial parent and in English. The school may seek reimbursement for the cost of postage from the requesting parent. The notification shall also inform the custodial parent that information requested pursuant to this section shall be provided to the requesting parent after 21 days unless the custodial parent provides to the principal of the school documentation of any court order which prohibits contact with the child, or prohibits the distribution of the information referred to in this section or which is a temporary or permanent order issued to provide protection to the custodial parent or any child in the custodial parent's custody from abuse by the requesting parent.

- (e) At any time the principal of a school is presented with an order of a probate and family court judge which prohibits the distribution of information pursuant to this section the school shall immediately cease to provide said information and shall notify the requesting parent that the distribution of information shall cease.
- (f) The principal of each public elementary and secondary school shall designate a staff member whose duties shall include the proper implementation of this section.
- (g) Requests for information made pursuant to this section which are made while a permanent protective order restricting access to the custodial parent or to any child in the custodial parent's custody is in effect shall constitute a violation of said protective order and be subject to the applicable penalties.
- (h) The department of education shall promulgate regulations to implement the provisions of this section. Said regulations shall include provisions which assure that the information referred to in this section is properly marked to indicate that said information may not be used to support admission of the child to another school.



Medical Guidelines

Dismissing Students Due To Illness

At times it may be necessary for a student to be sent home due to illness. If it is determined that a student is unable to remain in school, the parent will be notified and is responsible for picking up the student.

Medication Policy

The school nurse shall ensure that there is a proper medication order from a licensed prescriber for all medications. The order shall be received as necessary and must be renewed at the beginning of the academic year.

The medication order from the licensed prescriber shall include:

1. The student's name
2. The name and signature of the licensed prescriber and business telephone number
3. The name of the medication
4. The route and dosage of the medication
5. The frequency and the time of medication administration
6. The date of the order and discontinuation date
7. A diagnosis and any other medical condition(s) requiring medication, if not a violation of confidentiality, or if not contrary to the request of a parent, guardian or student to keep confidential
8. Specific directions for administration

Every effort shall be made to also obtain from the licensed prescriber the following additional information, if appropriate:

1. Any special side effects, contraindications and adverse reactions to be observed



2. Any other medications being taken by student
3. The date of the next scheduled visit, if known

The school nurse shall ensure that there is a written authorization by the parent or guardian, which contains:

1. The parent's or guardian's signature and date
2. Approval to have school nurse or school personnel designated by school nurse to administer medications.

Special medication situations:

1. For short term, i.e., those requiring administration for ten (10) school days or fewer, the pharmacy labeled container may be used in lieu of a licensed prescriber's order, if the nurse has a question, she may request a licensed prescriber's order.
2. If physician requests that a student carries a medication and /or self-medicate, he must so order it in writing. A parent must also give written authorization. There may be circumstances where, for the safety and health of a particular student or other students, it would not be prudent to allow the student to carry the medication and/or self-medicate. In these instances, the nurse, in conjunction with the parents and licensed prescriber shall reach a consensus for the administration of said medication.
 - a. For all students who have orders for Epipen, a procedure must be written indicating who will administer Epipen in the nurse's absence. The policy for delegating administration of medication will be followed.
 - b. Tylenol shall be administered by the nurse at her discretion with written prior approval from a parent or guardian.
 - c. No unlicensed personnel shall be designated to administer any over the counter medication.
 - d. For field trips, the nurse may delegate administration of prescription medication to a responsible adult with written consent of the parent. In some

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instances, the medication may be given by the nurse upon return to school for an early field trip or the medication may be omitted. In both cases, written parental permission is necessary.



Medication Administration Plan

1. The school nurse, in collaboration with the parent/guardian whenever possible shall establish a medication administration plan for each student receiving a medication. Whenever possible, a student so understands the issues of medication administration shall be involved in the decision-making process and his/her preferences respected to the maximum extent possible. If appropriate, the medication administration plan shall be referenced in any other health or educational plan developed pursuant to the Massachusetts Special Education Law (Individual Education Plan under Chapter 766) or federal laws, such as the Individuals with Disabilities Education Act (IDEA) or Section 304 of the Rehabilitation Act of 1973. 338.1
2. Prior to the initial administration of the medication, the school nurse shall assess the child's health status and develop a medication administration plan which includes:
 - a. The name of the student
 - b. An order from a licensed prescriber, including business telephone numbers
 - c. The signed authorization of the parent/guardian, including home and business telephone numbers
 - d. Any known allergies to food or medications
 - e. The diagnosis, unless a violation of confidentiality for the parent/Guardian or student request that is to be documented
 - f. The name of the medication
 - g. The dosage of the medication, frequency of administration and route of administration
 - h. Any specific direction for administration
 - i. Any possible side effects, adverse reactions or contraindications
 - j. The quantity of medication to be received by the school from the parent/guardian



- k. The required storage conditions
- l. The duration of the prescription
- m. Plans, if any, for teaching self administration of the medication
- n. With parental permission, other persons, including teachers to be notified of medication administration and possible adverse effects of the medication
- o. A list of other medications being taken by the student, if not a violation of confidentiality or contrary to the request of the parent/guardian or student that such medication not be documented
- p. When appropriate, the location where the administration of the medication will take place
- q. A plan for monitoring the effects of the medication
- r. Provision for medication administration in the case of field trips and other short-term special school events

Self Administration of Medications

Self-administration means that the student is able to consume or apply medication in the manner directed by the licensed prescriber, without additional assistance or direction.

A student may be responsible for taking his/her own medication after the school nurse has determined that the following requirements are met:

1. The student, school nurse and parent/guardian, where appropriate, enter into an agreement which specifies the conditions under which medication may be self administered
2. The school nurse, as appropriate, develops a medication administration plan which contains only those elements necessary to ensure safe self-administration of medication



3. The student's health status and abilities have been evaluated by the school nurse who then deems self-administration safe and appropriate; as necessary, the school nurse shall observe initial self-administration of the medication
4. The school nurse is reasonably assured that the student is able to identify the appropriate medication, knows the frequency and time of day for which the medication is ordered.
5. There is written authorization from the student's parent/guardian that the student may self-medicate, unless the student has consented to treatment under M.G.L.C. 112, S. 12F or other authority permitting the student to consent to medical treatment without parental permission
6. If requested by the school nurse, the licensed prescriber provides a written order for self-administration
7. The student follows a procedure for documentation of self-administration of medication
8. The school nurse establishes a policy of the safe storage of self-administered medication and, as necessary, consults with teachers, the student and parent/guardian, if appropriate, to determine a safe place for storing the medication for the individual student, while providing for accessibility if the student's health needs require it. This information shall be included in the medication administration plan. In the case of an inhaler or other preventive or emergency medication, whenever possible, a backup supply of the medication shall be kept in the health room or a second readily available location.
9. The student's self-administration is monitored based on his/her abilities and health status. Monitoring may include teaching the student the correct way of taking the medication, reminding the student to take the medication, visual observation to ensure compliance, recording that the medication was taken, and notifying the parent/guardian or licensed prescriber of any side



effects, variation from the plan or the student's refusal or failure to take the medication.

10. With parent/guardian and student permission, as appropriate, the school nurse may inform appropriate teachers and administrators that the student is self-administering a medication

Handling, Storage and Disposal of Medications

1. A parent/guardian or parent/guardian designated responsible adult shall deliver all medications to be administered by school personnel or to be taken by self-medicating students, if required by the self-administration agreement, to the school nurse or other responsible person designated by the school nurse.
 - a. The medication must be in a pharmacy or manufacturer labeled container
 - b. The school nurse or other responsible person receiving the medication shall document the quantity of the medication delivered.
2. All medications shall be stored in their original pharmacy or manufacture labeled containers and in such manner as to render them safe and effective; expiration dates shall be checked.
3. All medications to be administered by school personnel shall be kept in a securely locked cabinet used exclusively for medications, which is kept locked except when opened to obtain medications. The cabinet shall be substantially constructed and anchored securely to a solid surface. Medications requiring refrigeration shall be stored in a locked box either in a refrigerator or in a locked refrigerator maintained at temperatures of 38-40 degrees Fahrenheit.
4. Access to stored medications shall be limited to persons authorized to administer medications and to self-medicating student. Access to keys and knowledge of the location of keys shall be restricted to the maximum extent possible. Students who are self-medicating shall not have access to other students' medications.
5. Parents/guardians may retrieve the medications from the school at any time.



6. No more than a thirty (30) school day supply of the medication for a student shall be stored at school.
7. Where possible, all unused, discontinued or outdated medications shall be returned to the parent/guardian and the return appropriately documented. In extenuating circumstances, with parental consent when possible, such medications may be destroyed by the school nurse in accordance with any applicable policies of the Massachusetts Department of Public Health, Division of Food and Drugs. All medications should be returned at the end of the school year.

Documentation and Record Keeping

1. Each school, where school personnel administer medications, shall maintain a medication administration record for each student who receives medication during school hours.
 - a. Such record at a minimum shall include a daily log and medication administration plan, including the medication order and parent/guardian authorizations.
 - b. The medication administration plan shall include the information as described in Section 210.003 (E) of the regulations governing the administration of prescription medications in public and private schools.
 - c. The daily log shall contain:
 - i. The dose or amount of medication administered
 - ii. The date and time of administration or omission of administration including the reason for omission
 - iii. The full signature of the nurse administering the medication. If the medication is given more than once by the same person, he/she may initial the record, subsequent to signing a full signature.
 - iv. The school nurse shall document in the medication administration record significant observations of the medication's effectiveness, as



appropriate and any adverse reactions or other harmful effects, as well as any action taken

- d. All documentation shall be recorded in ink and shall not be altered.
- e. With the consent of the parent/guardian or student, where appropriate, the completed medication administration record and records pertinent to self-administration shall be filed in the student's cumulative health record. When the parent/guardian or student, where appropriate, objects, these records shall be regarded as confidential medical notes and shall be kept confidential.
- f. The school district shall comply with the Department of Public Health's reporting requirements for medication administration in the schools.
- g. The Department of Public Health may inspect any individual student medication record or record relating to the administration or storage of medications without prior notice to ensure compliance with the regulations governing the administration of prescriptions in public and private schools.

Reporting and Documentation of Medication Errors

- 1. A medication error includes any failure to administer medication as prescribed for a particular student, including failure to administer the medication:
 - a. Within appropriate time frames (the appropriate time frame should be addressed in the medication administration plan)
 - b. In the correct dosage
 - c. In accordance with accepted practice
 - d. To the correct student
- 2. In the event of a medication error, the school nurse shall notify the parent/guardian immediately. (The school nurse shall document the effort to reach the parent/guardian.) If there is a question of potential harm to the student, the school nurse shall notify the student's licensed prescriber or school physician.



3. The school nurse on the accident/incident report form shall document medication errors. These reports shall be retained in the following location: Nurses office and/or the student health record. They shall be made available to the Department of Public Health upon request. All medication errors resulting in serious illness requiring medical care shall be reported to the Department of Public Health. All suspected diversion or tampering of drugs shall be reported to the Department of Public Health, Division of Food and Drugs.
4. The school nurse shall review reports of medication errors and take necessary steps to ensure appropriate medication administration in the future.

Response to Medication Emergencies

Refer to the school's policy for handling all health emergencies in the school. Such emergency policies shall contain (1) local emergency response system telephone numbers (including ambulance, poison control number, local emergency care providers, etc.); (2) persons to be notified, i.e., parent/guardian, licensed prescriber, etc.; (3) names of persons in the school trained to provide first aid and cardio-pulmonary resuscitation; (4) scheduled programs for staff to be trained in first aid and CPR; (5) provision of necessary supplies and equipment and; (6) reporting requirements.



AIDS Policy

Epidemiological studies show that AIDS is transmitted via sexual contact or blood-to-blood contact. To date, there is no recorded transmission of AIDS to family members who are non-sexual contacts. This fact is also observed with medical personnel who directly care for and are exposed to AIDS cases.

Since there is no evidence of casual transmission by sitting near, living in the same household or playing together with an individual with AIDS, the following guidelines are recommended by the Governor's Task Force on AIDS for implementation in school systems throughout the Commonwealth.

1. All students diagnosed as having AIDS, or with clinical evidence of infection with the AIDS associated virus (HIV) and receiving medical attention, are able to attend regular classes.
 - a. If a student has cutaneous (skin) eruptions or weeping lesions that cannot be covered, he/she should not be in school.
 - b. If the student exhibits inappropriate behavior which increases the likelihood of transmission (i.e., biting), he/she should not be in school.
 - c. Students diagnosed with AIDS, or with clinical evidence of infection with AIDS associated virus (HIV), and who are too ill to attend school, should have an appropriate alternative educational plan.
 - d. Siblings of students diagnosed as having AIDS or with clinical evidence of infection with the AIDS associated virus (HIV) are able to attend school.
2. The student's personal physician is the primary manager of the student diagnosed as having AIDS or with clinical evidence of infection with the AIDS.
 - a. The student's personal physician, after consultation with the family, is responsible for reporting cases of AIDS to the Massachusetts Department of Public Health's Division of Communicable Disease. The



Senior Associate Director will be notified by the student's personal physician and will provide assistance in identifying those educational or health care agents with an absolute need to know.

- b. Only persons with an absolute need to know should have medical knowledge of a particular student. In an individual situation, the Education Coordinator might notify one or more of the following:
 - i. School Nurse
 - ii. Teacher/Program Manager
 - iii. Vocational Instructor
 - c. Notification should be by process that would maximally assist patient confidentiality. Ideally, this process should be direct person-to-person contact.
 - d. If school authorities believe that a student diagnosed as having AIDS or with clinical evidence of infection with AIDS associated virus (HIV) has evidence of conditions described in No. 1, then the school authorities can dismiss the student from the class and request authorization from the student's personal physician so that class attendance is within compliance with the school policy.
 - e. If school authorities and the student's personal physician are in conflict, then the case should be referred to the Department of Public Health for review by an appointed physician who would determine the permissibility of attendance.
3. Since the student diagnosed as having AIDS or with clinical evidence of infection with the AIDS associated virus (HIV) has a somewhat greater risk of encountering infections in the school setting, the student should be excluded from school if there is an outbreak of a threatening communicable disease such as chicken pox or measles, until he/she is properly treated (possibly with hyper immune gamma globulin), and/or the outbreak has no longer become a threat to the student.



4. HIV screening is a blood test for detecting the presence of antibodies to the HIV virus. Antibodies are substances produced by white blood cells that help fight infection caused by viruses or bacteria. Testing for HIV antibodies is not recommended for any purpose, other than to assist the student's personal physician in a highly selected set of clinical decisions. Results of HIV antibody tests are confidential and should not be reported to schools.
5. Blood or any other body fluids, including vomitus and fecal or urinary incontinence in any student, should be treated cautiously. Gloves should be used when cleaning up any body fluids.