

- Lead by example by conducting school committee meetings in a professional, respectful, courteous manner.

## CODE OF CONDUCT

The Richmond Consolidated School is committed to providing a safe and orderly school environment where students may receive, and school personnel may deliver, quality educational services without disruption or interference. Responsible behavior by students, teachers, other school personnel, parents and other visitors is essential to achieving this goal. Unless otherwise indicated, this Code applies to all students, school personnel, parents and other visitors when on school property or attending school functions.

The following measures, although inclusive of grades Pre-K - 8 are adjusted, as needed, according to grade level and prior discipline history.

## TECHNOLOGY

### ACCEPTABLE USE POLICY AND GUIDELINES

#### **1. Introduction**

This document formalizes the policy for users of the Richmond Consolidated School (RCS) Network resources. All users, including but not limited to students, teachers, administrators, staff, guests and educational organizations are covered by this policy and are expected to be familiar with its provisions.

#### **2. User Responsibilities**

It is the responsibility of any person using the RCS Network resources to read, understand, and to follow these guidelines. In addition, users are expected to exercise reasonable judgment in interpreting these guidelines and in making decisions about the appropriate use of the RCS Network resources. Any person with questions regarding the application or meaning of these guidelines should seek clarification from the RCS Network Administrator. Use of the RCS Network resources shall constitute acceptance of the terms of these guidelines. It is the responsibility of any person using the RCS devices such as teacher laptops and student Chromebooks to read, sign and submit the RCS Acceptable Use policy online document.

##### **A. RCS Network Administrator Responsibilities**

It is the responsibility of the person who has been designated as the RCS Network Administrator to ensure that only educators and students in his/her school are

registered users of the RCS Network. The Administrator is responsible for making certain that the educators and students within the school understand and abide by the Acceptable and Unacceptable Uses as stated in this document (Paragraph 3). If the RCS Network Administrator has reason to believe that a user (educator or student) is misusing the system, the Administrator has the right to access the user's account in order to review the use of the RCS Network tools by the user. It is also the responsibility of the Administrator to report any misuse of the system to the Principal.

### **B. RCS Educator Responsibilities**

It is the responsibility of educators who are using the RCS Network resources with students to teach students about safe and responsible use of the Internet and the RCS Network. Educators are responsible for monitoring students' use of these resources, and to intervene if students are using them inappropriately. Educators should make sure that students understand and abide by the Acceptable and Unacceptable Uses as stated in this document (Paragraph 3). If an educator has reason to believe that a student is misusing the system, he or she has the right to request that the RCS Network Administrator review the use of the RCS Network tools by the student. It is also the responsibility of the teacher to report any misuse of the system to his/her RCS Network Administrator or directly to the Principal.

### **C. RCS Network Student Responsibilities**

It is the responsibility of students who are using the RCS Network resources to learn about safe and responsible use of the Internet and RCS Network. They are responsible to use these resources responsibly and appropriately. They must abide by the Acceptable and Unacceptable Uses as stated in this document (Paragraph 4). If a student is misusing the system, RCS educators or the RCS Network Administrator must report it to the Principal and/or the RCS Network Administrator who have the right to discontinue his/her use of the system.

## **3. Technologies Covered**

RCS may provide the privilege of Internet access, desktop computers, mobile computers or devices, iPods, iPads, cell phones, videoconferencing capabilities, online collaboration capabilities, message boards, email and more. This Acceptable Use Policy applies to both school owned and privately owned devices accessing the RCS network, the RCS Internet connection, and/or private networks/Internet connections while on school property. The policies outlined in this document cover *all* available technologies now and into the future, not just those specifically listed or currently available.

## **4. Acceptable and Unacceptable Uses**

The resources available to the RCS Network users are to be used for educational purposes. All RCS Network users are responsible for all activity on the RCS Network. Users should not use the RCS Network to store any files that are not educational.

**It is acceptable for users to:**

- Use school technologies for school-related activities.
- Follow the same guidelines for respectful, responsible behavior online that is expected offline.
- Treat school resources carefully, and alert staff if there is any problem with their operation.
- Encourage positive, constructive discussion if allowed to use communicative or collaborative technologies.
  
- Alert a teacher or other staff member if observing any threatening, inappropriate, or harmful content (images, messages, posts) online.
- Use school technologies at appropriate times, in approved places, for educational pursuits.
- Cite sources when using online sites and resources for research.
- Recognize that use of school technologies is a privilege and treat it as such.
- Be cautious to protect their own safety and the safety of others.
- Help to protect the security of school resources.

**It is unacceptable for users to use these resources for:**

- Furthering any political or religious purpose.
- Engaging in any personal, commercial or fundraising purpose.
- Sending threatening or harassing messages in accordance with the RCS Bully Prevention Plan.
- Gaining unauthorized access to computer or telecommunications networks.
- Interfering with the operations of technology resources, including placing a computer virus on any computer system, including the RCS Network system.
- Accessing or sharing sexually explicit, obscene, or otherwise inappropriate materials.
- Intercepting communications intended for other persons.
- Attempting to gain unauthorized access to the RCS Network system.

- Logging in through another person’s account or attempting to access another user’s password or files.
- Sending defamatory or libelous material concerning a person or group of people.
- Furthering any illegal act, including infringing on any intellectual property rights.
- Downloading, uploading, or distributing any files, software, or other material that is not specifically related to an educational project.
- Downloading, uploading, or distributing any files, software, or other material in violation of federal copyright laws.

Mobile phones with cameras and screens create a new set of privacy issues for the school as images of people can be taken without their knowledge, images can be saved and then sent to other people, and it is possible to send these images to the Internet. This creates the potential for gross invasion of privacy in areas around the school such as rest rooms and on field trips.

In cases where there are gross invasions of privacy or where student images are used without permission (i.e., sent to another person or posted on the Internet) there will be serious consequences. In some cases, students could be suspended from school and in extreme circumstances they could be expelled from school.

**This is not intended to be an exhaustive list. The administration reserves the right to hold users accountable for any improper use. Users should use their own good judgment when using school technologies.**

As with any other form of communication, these systems may not be used to transmit or store messages or other data that are inappropriate under existing RCS Network, district or MA DOE policies, such as those prohibiting bullying and sexual harassment. Users may not create, send, or store messages or other data that are considered offensive, contain sexually explicit material, or otherwise offensively address the age, race, ethnicity, gender, sexual orientation, religious or political beliefs, national origin, or disability of a person or a group of people. Users also may not create, send, or store messages pertaining to dangerous devices such as weaponry or explosive devices. Users should take all reasonable precautions against receiving or downloading messages, images, or other data of this sort.

#### **4. No Expectation of Privacy**

The RCS Network resources are the property of the Richmond Consolidated School and are to be used in conformance with these guidelines. The RCS Principal and Network Administrator retain the right to inspect any user’s data and communications. The RCS Principal and Network Administrator also have the right to give permission to the teachers, the school administrators, and the parents of any student to review the use of the RCS Network tools by a

student who they think may be misusing the system. Users are advised that messages in discussion forums, including deleted messages, are regularly archived and can be retrieved. In addition, an Internet firewall automatically checks all data moving between the local area network and the Internet and logs the sending and receiving destinations. Use of the RCS Network resources constitutes consent for the RCS Network Administrator to monitor and/or inspect any files that users create, any messages they post or receive, and any websites they access. Any email communication between staff or staff and parents regarding students could be considered part of a student's record. This must be preserved in accordance with student record laws.

## **5. Passwords**

Administrators and teachers shall be given a private login and password for access to teacher related resources on the RCS Network. This username and password is to be used to access the RCS Network and any resources that reside within the RCS Network that require password access. The users must take precautions to maintain the secrecy of their password so that other users will not be able to utilize that password for malicious purposes. If a user suspects that someone has discovered the user's password, the user should change the password immediately.

Students will have access only to student-related resources on the RCS Network. If any user (student, teacher, or administrator) suspects that someone has discovered a teacher or administrator password, the user must report such discovery to the RCS Network Administrator or the Principal. The RCS Network Administrator should make certain the password is changed immediately

## **6. Violations**

Failure to observe these guidelines may subject users to suspension and or termination of their use of the RCS Network. The RCS Network Administrator will notify the Principal of any inappropriate activities by the users. The Principal will advise law enforcement agencies of illegal activities conducted through the RCS Network and will cooperate fully with local, state, and/or federal officials in any investigation related to illegal activities conducted through the RCS Network.

## **7. Disclaimers**

The RCS Superintendent, Principal and Network Administrator make no warranties of any kind, either expressed or implied, for the RCS Network's services and resources. The RCS Superintendent, Principal and Network Administrator are not responsible for any damages incurred, including, but not limited to: loss of data resulting from delays or interruption of service, loss of data stored on the RCS

Network resources, or damage to personal property used to access the RCS Network resources; for the accuracy, nature, or quality of information stored on the RCS Network resources or gathered through the RCS Network or the Internet; for unauthorized financial

obligations incurred through the RCS Network-provided access. Further, even though the RCS Network may use technical or manual means to limit student access, these limits do not provide a foolproof means for enforcing the provisions of this policy. All provisions of this agreement are subordinate to local, state and federal statutes.

## PROHIBITED STUDENT CONDUCT

The Richmond Consolidated School expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students and school personnel, and for the care of school facilities and equipment. The Richmond Consolidated School recognizes the need to make its expectations for student conduct specific and clear. Students who will not accept responsibility for their own behavior may be subject to disciplinary action, up to and including suspension from school, when they:

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include:
  - Running in hallways.
  - Making unreasonable noise.
  - Using language or gestures that are profane, lewd, vulgar or abusive.
  - Engaging in any willful act which disrupts the normal operation of the school community.
  - Computer/electronic communications misuse as defined by RCS's acceptable use policy.
  - Cell phone misuse as defined in the handbook.
  - Dress Code violations as defined in the handbook.
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:
  - Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
  - Lateness for, missing or leaving school without permission.
  - Skipping classes or not staying for detention.
  - Rude or disrespectful behavior.
- C. Engage in conduct that is disruptive. Examples of disruptive conduct include:
  - Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
  - Interfering with the educational process of children.
- D. Engage in conduct that is violent. Examples of violent conduct include:
  - Committing an act of violence, or attempting to do so, (such as hitting, kicking, punching, and scratching) upon another student, teacher, administrator or other school employee.
  - Possessing a weapon.
  - Displaying what appears to be a weapon.
  - Threatening to use any weapon.
  - Intentionally damaging or destroying the personal property of a student, teacher,

administrator, other school employee or any person lawfully on school property, including graffiti or arson.

- Intentionally damaging or destroying school or school property.

E. Engage in bullying:

"Bullying", the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that:

- causes physical or emotional harm to the victim or damage to the victim's property;
- places the victim in reasonable fear of harm to himself or of damage to his property;
- 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. For the purposes of this section, bullying shall include cyber-bullying.

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

Bullying reports may include the name of the 'aggressor' or 'perpetrator' for both school staff and students.

A member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall immediately report any instance of bullying or retaliation the staff member has witnessed or become aware of to the principal or to the school official identified in the plan as responsible for receiving such reports or both. Upon receipt of such a report, the school principal or a designee shall promptly conduct an investigation. If the school principal or a designee determines that bullying or retaliation has occurred, the school principal or designee shall:

- notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against a perpetrator;
- take appropriate disciplinary action;
- notify the parents or guardians of a perpetrator;
- notify the parents or guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation; and
- inform the parents or guardians of the victim about the department's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system.

Bullying is prohibited on school grounds and any school-sponsored event or activity, whether on or off campus. Bullying is prohibited through the use of district computers while on or off

campus and the use of personal digital devices either on campus or off- campus in a manner that causes a disruption on school grounds. Retaliation against students or school personnel who reported the incident(s) of bullying is prohibited.

Bullying is any unwelcome written or verbal expressions, physical acts or gestures directed at a student or another member of the school community with the intent to intimidate, harass, frighten, ridicule, humiliate or cause physical or emotional harm to that person. It is repeated, intentional and creates an imbalance of power. Cyber- bullying is bullying by means including electronic mails, cellular phones, instant messages, text messages or websites. Examples of bullying include:

- Teasing
- Exclusion
- Taunting (verbal or physical intimidation)
- Cyber-bullying
- Pushing, kicking, hitting or spitting
- Non-verbal gestures
- Taking or damaging another person's personal property

F. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:

- Lying to school personnel.
- Stealing the property of others.
- Defamation, which includes making false statements or representations about an individual that harm the reputation of the person(s) by demeaning them.
- Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
- Harassment, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as ridiculing or demeaning.
- Intimidation, which includes engaging in actions or statements, that put a reasonable individual in fear of bodily harm.
- Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
- Selling, using or possessing obscene material.
- Using vulgar or abusive language, cursing or swearing.
- Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco.
- Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. ("Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs.")
- Inappropriately using or sharing prescription and over-the-counter drugs.

- Gambling.
- Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
- Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.

G. Engage in misconduct while on a school bus.

It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.

- Stay in your seat.
- Follow the driver's structure for seating assignments.
- Do not eat or litter on the bus.
- Follow the driver's instructions.
- Use acceptable language.

H. Engage in any form of academic misconduct.

- Plagiarism.
- Cheating.
- Copying.
- Altering records.
- Assisting another student in any of the above actions.

I. Anti-Harassment Policy:

It is the policy of the Richmond Consolidated School to promote and maintain a working and educational environment that is free from all forms of harassment. The most productive and satisfying work environment is one in which work and work-related activities are accomplished in a spirit of mutual trust and respect. Harassment is a form of discrimination that is offensive, impairs morale, undermines the integrity of employment relationships and causes serious harm to the productivity, efficiency and stability of our organization. Harassment includes but is not limited to such things as threats, unsolicited re- marks, gestures, physical contact, or the display or circulation of written materials or pictures derogatory to gender, racial, ethnic, religious, age or handicap groups.

All members of the RCS community have a right to work in an environment free from discrimination and harassing conduct, including sexual harassment. Harassment on the basis of an basis of an individuals race, color, creed, religion, sex, national origin, age, marital status, veteran status, sexual preference or disability is expressly prohibited under this policy. Harassment on any basis (race, sex, age, disability, etc.) exists whenever the conduct interferes with or creates an intimidating, hostile or offensive environment.

Sexual harassment violates state and federal law; and, therefore, the policies of the Richmond Consolidated School. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly, a term or condition of an individual's employment, or success as a student;
- submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual, or;
- such conduct has the purpose or effect of substantially interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

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:

- Unwelcome sexual advances – whether or not they involve physical touching;
- 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, and sexually explicit e-mails or the use of social media to share such references, and
- Displays of sexually suggestive objects, pictures, and cartoons.
- Harassment on the basis of any other protected characteristic is also strictly prohibited. Such harassment can be defined as conduct that shows hostility or aversion toward an individual because of his or her protected characteristic and that has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile or offensive environment.
- Each individual at Richmond Consolidated School is personally responsible for:
  - Ensuring that his/her conduct does not harass any student or employee or applicant for employment, or other individual in the workplace or school;
  - Cooperating in the investigation of informal reports or formal complaints of alleged harassment by providing any information she/he possesses concerning the matters being investigated; and
  - Otherwise cooperating with efforts to prevent and eliminate harassment and to maintain a working and learning environment free from such unlawful discrimination.

For any alleged harassment violations, the Principal will serve as the Grievance Officer. He or she is vested with the authority and responsibility of processing or referring to an appropriate administrator. The Principal may be contacted at the School Administration Offices, telephone 413-698-2207, Superintendent, telephone 413-298-4017.

## DISCIPLINARY CONSEQUENCES

The Richmond Consolidated School Leadership Team and Special Education Team meet weekly to review discipline data of all students, including special populations and high needs students. The team consists of special education liaison, school adjustment counselor, principal, teachers and paraprofessionals. Students who receive Detention, In School Suspension or Out of School Suspension will be responsible for all class work missed and homework assignments.

Students who are found to have violated the school's Code of Conduct may be subject to the following consequences, either alone or in combination:

- Verbal warning
- Written minor referral filed with administration and/or team
- Written notification to parent (acknowledgement of receipt required via signature or email),
- Major referral filed with administration\* (situation may warrant an immediate major referral)
- Behavioral plan instituted. The behavior plan consequences may include:
  - Modified morning recess
  - Modified lunch recess
  - After school detention
  - Suspension from transportation (if applicable to the situation)
  - Suspension from social or extracurricular activities
  - Suspension of other privileges
  - In-school suspension

Students who are found to have violated the school's Code of Conduct may ALSO be subject to the following consequences, either alone or in combination:

- Temporary removal from situation
- Short-term (five days or less) suspension from school
- Long-term (more than five days) suspension from school
- Permanent suspension from school

\*A sample referral is located in the Appendix.

## DISCIPLINE PROCEDURES

The school personnel who imposes a consequence must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary consequence. The student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal, the principal's designee or teacher to discuss the conduct and the consequences involved.

1. A minor referrals are written up and dealt with by the staff member who referred the student. 3 minor referrals equal a major referral.
2. A major referral is written up by the staff member who referred the student but is directed to the principal. Three minor referrals are equal to a major referral and will be directed to the principal.
3. Detention will be imposed as a consequence only after the student's parent has been notified, preferably by phone, to confirm that there is no parental objection to the detention and the student has appropriate transportation home.
4. If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention through a bus referral. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent.
5. Building principal and the superintendent are authorized to place students in "in-school suspension." The in-school suspension supervisor will be a teacher or paraprofessional.
6. Suspension from school is a severe penalty, which may be imposed upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. Richmond Consolidated School retains its authority to suspend students, but places primary responsibility for the suspension of students with the principal.

## SUSPENSIONS

### REMOVAL OF DISRUPTIVE STUDENT/ADULT

The Principal has the right to ask that a student be removed or an adult to leave the school property if the Principal feels that person is a significant disruption to the educational environment. If necessary, the police will be called.

- When the superintendent or principal (referred to as the "suspending authority") determines that a suspension for five days or less is warranted, they will immediately notify the student orally. The suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. Where possible, notice should also be provided by telephone.
- When the superintendent or building principal determines that a suspension for more than five days may be warranted, reasonable notice will be provided to the student and the student's parents of their right to a fair hearing. The superintendent shall personally hear and determine the procedure. A record of the hearing shall be maintained.

An appeal of the superintendent's decision may be made to the Richmond School Committee that will make its decision based solely upon the record before it. All appeals to the Richmond School Committee must be in writing and submitted to the school secretary within 10 business days of the date of the superintendent's decision. Richmond School Committee may adopt in whole or in part the decision of the superintendent. Final decisions of the Richmond School Committee may be appealed to the Commissioner of Education within 30 days of the decision.

## MINIMUM PERIODS OF SUSPENSION

### EMERGENCY REMOVAL: Section 37H <sup>3</sup>/<sub>4</sub> Section 53.07

1. Nothing in these regulations shall prevent a principal from removing a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially disrupts the order of the school. The temporary removal shall not exceed five (5) school days, which shall include the day of the emergency removal, during which time the principal shall:

- a. Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters set forth in 603 CMR 53.06(2);
- b. Provide written notice to the student and parent as provided in 603 CMR 53.06(2);
- c. Provide the student an opportunity for a hearing with the principal that complies with 603 CMR 53.08(3) and provide the parent an opportunity to attend the hearing, before the expiration of the five (5) school days, unless an extension of time is otherwise agreed to by the principal, student, and parent.

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

NOTE: The federal Gun-free Schools Act of 1994 (20 USC §8921) requires all states that receive funds under the Elementary and Secondary Education Act of 1965 to have a law that requires schools to suspend students who bring weapons to school for a minimum of one calendar year. Section 3214(3)(d) of the Education Law has been amended to comply with the federal law. The federal law defines "weapon" somewhat narrowly. (See 18 USC §914.)

Any student found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing. The superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

- The student's age.
- The student's grade in school.
- The student's prior disciplinary record.
- The superintendent's belief that other forms of discipline may be more effective.
- Input from parents, teachers and/or others.
- Other extenuating circumstances.

3. A student with a disability may be suspended only in accordance with the requirements of state and federal law.

The SAVE legislation requires that a violent student be subject to a minimum period of suspension under the school's Code of Conduct (§3214(b)(2) and §2801(2)(m)). Schools are free to choose any minimum period so long as it is reasonable. The sample Code adopts a five-day minimum period to avoid the more detailed procedures that must accompany a suspension of more than five days.

## CORPORAL PUNISHMENT

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any school employee is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

The school will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with the Commissioner's regulations.

## DISCIPLINE OF STUDENTS WITH DISABILITIES

While students with disabilities are disciplined by the same criteria applied to all students in the Richmond School, students who have been identified as having special needs based on a disability may have procedural protections in addition to those provided to other students in accordance with the Individuals with Disabilities Education Act (IDEA). In general, students may be excluded from their programs, just as any other student can be, for up to ten school days per year. However, when a student is excluded from his/her program for more than ten school days in the school year, school staff may be required to provide alternative educational services for the student. In addition, in many instances, the student's IEP Team must convene to determine whether the student's behavior was caused by or had a direct and substantial relationship to his/her disability (a "manifestation determination"). If the Team determines the behavior was not caused by the disability, the school may discipline the student according to the school's code of student conduct except that the district must continue to provide the student with educational services during the period of suspension or expulsion. However, if the Team determines that the behavior was caused by the disability, the student may not be excluded from the current educational placement (except in the case of weapons, drugs, or serious bodily injury) until the Team develops, and the parent/ guardian consents, to a new Individualized Education Program. The Team must also conduct a functional behavioral assessment and develop or revise a behavioral plan for the student. In the event a student possesses, uses, sells or solicits a controlled substance or possesses a weapon, or seriously injures an individual at school or a school function, the school may place a student in an interim alternative education setting for up to 45 days. Hearing officers may also order the placement of a student in an appropriate interim setting for up to 45 days upon determination that the current placement is substantially likely to result in injury to the student or to others. When a parent/guardian disagrees with the Team's decision on the "manifestation determination" or with a decision regarding placement, the parent/guardian has a right to request an expedited due process hearing from the Bureau of Special Education Appeals. Similar procedures apply to students with accommodation plans under Section 504 of the Rehabilitation Act of 1973 and students who are in the process of evaluation under special education for whom eligibility has not yet been determined. If the school district has no knowledge that a student is an eligible student under the IDEA before taking disciplinary measures against the student, the student may be disciplined

just as any other student may be. If, however, a request is made for an evaluation to determine eligibility while the student is subject to disciplinary measures, the district must conduct the evaluation in an expedited manner. Pending the results of the evaluation, the student must remain in the educational placement determined by school authorities, which may include suspension or expulsion without services. If the student is determined eligible 21 for an IEP as a result of the evaluation, the school district must provide the student with special education and related services in accordance with the IDEA.

In accordance with Richmond Policy JKA, Section 1415 of the individuals with Disabilities Education Act (IDEA) sets forth the following procedures with respect to the suspension of students with special needs and protections for those children not yet eligible for special education and related services: School personnel may order a change in placement of a child with a disability to an appropriate interim alternative setting, another setting, or suspension, for not more than ten (10) school days (to the extent such alternatives would be applied to children without disabilities). 34 if a child with disabilities carries a weapon to school or to a school function, knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, school personnel may order a change in placement to an appropriate interim alternative educational setting for the same amount of time that a child without a disability would be subject to discipline, but not for more than forty-five 45 days. When a child with a disability or suspected disability has been suspended or placed in an alternative setting for ten (10) days (cumulative), the Individual Education Plan team will be convened to conduct a Functional Behavioral Assessment, including a Manifestation Determination, and will develop a Behavioral Intervention Plan that will be accepted by the IEP team. If the child has an existing Behavioral Intervention Plan, the IEP team will review the plan and modify it if necessary. If an alternative educational setting is warranted, the placement will be determined by the IEP team. The placement will be selected so as to enable the child to continue to participate in the general curriculum in another setting and will ensure the provision of those services and modifications described in a child's IEP that will enable the child to meet the goals set forth in the IEP.

All students are expected to meet the requirements for behaviors as set forth in this handbook. Chapter 71B of the Massachusetts General Laws, known as 603 CMR 28.00 and the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. Section 1400 and 34 CFR Section 300, require that additional provisions be made for students who have been found by an evaluation team to have a disability and whose program is described in an Individualized Educational Program (I.E.P.) or a 504 Accommodation Plan. The following additional requirements apply to the disciplining of students with special needs and students with 504 Accommodation Plans:

1. Any modifications of the discipline code will be identified in the student's IEP or 504 Accommodations Plan.
2. The Principal (or designee) will notify the Special Education Director of the suspendable offense of 45 students with a disability and a record will be kept of such notices.
3. When it is known that the suspension(s) of a student with a disability will accumulate beyond 10 days in a school year, a review of the IEP/Accommodation Plan will be held to determine the appropriateness of the student's placement or program. The team will make a finding as to the relationship between the student's misconduct and:
  - Develop or review a functional behavior assessment

- Determine if the misconduct is a manifestation of the disability
- Consider a modified program or alternate placement for the student
- Consider an amendment to provide for the delivery of services during the suspension and any needed modification of the IEP/504 Accommodation Plan.

In addition, the Department of Education will be notified when required by law, and the procedures promulgated by the Department of Education for requesting the approval of the alternative plan will be followed.

Parents will be notified with written notice of their rights under special education regulations.

A. Procedural requirements applied to students not yet determined to be eligible for special education

1. If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:

- The parent had expressed concern in writing; or
- The parent had requested an evaluation; or
- District staff had expressed directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student.

2. The district may not be considered to have had prior knowledge if the parent has not consented to evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.

3. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.

4. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

**State Requirements:** This criterion is related to State Performance Plan Indicator 4. (See <http://www.doe.mass.edu/sped/spp/>.)

Federal Requirements (IDEA-97)

34 CFR 300.534

Richmond Consolidated School recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. Richmond Consolidated School also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. Richmond Consolidated School is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

The Special Education Director will be notified when it is necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior.

## ALTERNATIVE INSTRUCTION

Students removed from class due to a suspension must be provided with alternative instruction, school wide education plan.

## EDUCATIONAL SERVICES AND ACADEMIC PROGRESS DURING SUSPENSIONS AND EXPULSION

Students removed from class due to a suspension must be provided with alternative instruction

- Any student who is serving an in-school suspension, short-term suspension, long-term-suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed. Opportunities to earn credits are 1-1 tutoring of content covered during the missed time, work sent home to complete during suspension, after school drop in, and assigned virtual projects or portfolios.
- Any student who is expelled or suspended from school for more than ten consecutive days, whether in school or out of school, shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, through the school-wide education service plan. Opportunities to receive education services are 1-1 tutoring of content covered during the missed time, work sent home to complete during suspension, after school drop in, and assigned virtual projects or portfolios. Please contact the Principal 413-698-2207 if you would like more detailed information.
- The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.
- For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.

## DUE PROCESS FOR SUSPENSIONS

School-Wide Education Service Plan for students on Short or Long term suspension

A. Notice of Proposed Suspension, School-Wide Education Service Plan Notice to Parents (Except in the case of an emergency removal or disciplinary offense defined under M.G.L. c. 71, 37H or 37H½ or an in-school suspension as defined by 603 CMR 53.02(6)), the school shall provide the student and parent/guardian with written and oral notice of the proposed out-of-school suspension, an opportunity to be heard at hearing, and the opportunity to participate at the hearing. Notice shall set forth in plain language:

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

Principal Hearing. The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student has committed the disciplinary offense, the basis for the charge, and any other pertinent information. The student shall have an opportunity to present information, including mitigating facts. A parent/guardian present at the hearing shall have the opportunity to discuss the student's conduct and offer information, including mitigating circumstances.

The principal shall make reasonable efforts to notify the parent/guardian orally of the opportunity to attend the hearing. In order to conduct a hearing without the parent/guardian present, the principal must be able to document reasonable efforts to include the parent/guardian. Reasonable effort is presumed if the principal sent written notice and documented at least two attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency situations.

All written communications regarding notice of proposed suspension shall be either by hand delivery or delivered by first-class mail, certified mail, or email to address provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

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

classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed. Opportunities to earn credits are 1-1 tutoring of content covered during the missed time, work sent home to complete during suspension, after school drop in, and assigned virtual projects or portfolios.

2. Any student who is expelled or suspended from school for more than ten consecutive days, whether in school or out of school, shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, through the school-wide education service plan. Opportunities to receive education services are 1-1 tutoring of content covered during the missed time, work sent home to complete during suspension, after school drop in, and assigned virtual projects or portfolios. Please contact the Principal 413-698-2207 if you would like more detailed information.

- The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.
- For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.

B. Short-Term Suspensions: School Wide Education Service Plan Notice to Parents, Hearing, Principal Determination (Except in the case of an emergency removal or disciplinary offense defined under M.G.L. c. 71, 37H or 37H½ or an in-school suspension as defined by 603 CMR 53.02(6)), the school shall provide the student and parent/guardian with written and oral notice of the proposed out-of-school suspension, an opportunity to be heard at hearing, and the opportunity to participate at the hearing. Notice shall set forth in plain language:

1. the disciplinary offense;
2. the basis for the charge;
3. the potential consequences, including the potential length of the student's suspension;
4. the opportunity for the student to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for

the parent/guardian to attend the hearing;

5. the date, time, and location of the hearing;
6. the right of the student and student's parent/guardian to interpreter services at the hearing if needed to participate;

The principal shall make reasonable efforts to notify the parent/guardian orally of the opportunity to attend the hearing. In order to conduct a hearing without the parent/guardian present, the principal must be able to document reasonable efforts to include the parent/guardian. Reasonable effort is presumed if the principal sent written notice and documented at least two attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency situations.

All written communications regarding notice of proposed suspension shall be either by hand delivery or delivered by first-class mail, certified mail, or email to address provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

A short-term suspension is the removal of the student from the school premises and regular classroom activities for ten (10) consecutive days or less. Out-of-school short-term suspensions which do not cumulatively over the course of the school year exceed ten (10) days of suspension shall be conducted in accordance with this section.

1. Any student who is serving an in-school suspension, short-term suspension, long-term-suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed. Opportunities to earn credits are 1-1 tutoring of content covered during the missed time, work sent home to complete during suspension, after school drop in, and assigned virtual projects or portfolios.
2. Any student who is expelled or suspended from school for more than ten consecutive days, whether in school or out of school, shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, through the school-wide education service plan. Opportunities to receive education services are 1-1 tutoring of content covered during the missed time, work sent home to complete during suspension, after school drop in, and assigned virtual projects or portfolios. Please contact the Principal 413-698-2207 if you would like more detailed information.
  - The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on

long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

- For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.
- Based on the available information, including mitigating circumstances, the principal will make a determination whether the student committed the disciplinary offense, and if so, the consequence. The principal will provide notification in writing of his/her determination in the form of an update to the student and parent/guardian, and provide reasons for the determination. If the student is suspended, the principal shall inform the parent/guardian of the type and duration of the suspension, and shall provide an opportunity for the student to make up assignments and other school work as needed to make academic progress during the period of removal.
- If the student is in grades pre-k through 3, the principal shall send his/her determination to the superintendent and explain the reasons prior to imposing an out-of-school suspension, before the short-term suspension takes effect.
- All written communications regarding the hearing and principal determination shall be either hand delivery or delivered by first-class mail, certified mail, or email to the address provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

C. Long-Term Suspensions: School-Wide Education Service Plan Notice to Parents, Hearing and Principal Determination (Except in the case of an emergency removal or disciplinary offense defined under M.G.L. c. 71, 37H or 37H½ or an in-school suspension as defined by 603 CMR 53.02(6)), the school shall provide the student and parent/guardian with written and oral notice of the proposed out-of-school suspension, an opportunity to be heard at hearing, and the opportunity to participate at the hearing. Notice shall set forth in plain language:

1. the disciplinary offense;
2. the basis for the charge;
3. the potential consequences, including the potential length of the student's

suspension;

4. the opportunity for the student to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent/guardian to attend the hearing;
5. the date, time, and location of the hearing;
6. the right of the student and student's parent/guardian to interpreter services at the hearing if needed to participate

The principal shall make reasonable efforts to notify the parent/guardian orally of the opportunity to attend the hearing. In order to conduct a hearing without the parent/guardian present, the principal must be able to document reasonable efforts to include the parent/guardian. Reasonable effort is presumed if the principal sent written notice and documented at least two attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency situations.

All written communications regarding notice of proposed suspension shall be either by hand delivery or delivered by first-class mail, certified mail, or email to address provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

A long-term suspension is the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student has committed the disciplinary offense, the basis for the charge, and any other pertinent information.

The student shall have an opportunity to present information, including mitigating facts, that the principal will consider in determining whether alternatives to suspension such as loss of privileges, detention, an apology, a student contract, restitution, and/or probation are appropriate.

1. Any student who is serving an in-school suspension, short-term suspension, long-term-suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed. Opportunities to earn credits are 1-1 tutoring of content covered during the missed time, work sent home to complete during suspension, after school drop in, and assigned virtual projects or portfolios.

2. Any student who is expelled or suspended from school for more than ten consecutive days, whether in school or out of school, shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, through the school-wide education service plan. Opportunities to receive education services are 1-1 tutoring of content covered during the missed time, work sent home to complete during suspension, after school drop in, and assigned virtual projects or portfolios. Please contact the Principal 413-698-2207 if you would like more detailed information.

- The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.
- For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.

Additionally, the student shall have the following additional rights:

In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;

1. the right to be represented by counsel or a lay person of the student's choice, at the student's and or parent's/guardian's expense;
2. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; and
3. the right to cross-examine witnesses presented by the school district;
4. the right to request that the hearing be recorded by the principal. All participants shall be informed that the hearing is being recorded by audio. A copy of the audio recording will be provided to the student or parent/guardian upon request.

Based on the evidence submitted at the hearing the principal shall make a determination as to whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension (the use of evidence-based

strategies and programs, such as mediation, conflict resolution, restorative justice, and positive interventions and supports) what remedy or consequence will be imposed. If the principal decides to impose a long-term suspension, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;

Set out key facts and conclusions reached by the principal;

1. Identify the length and effective date of the suspension, as well as a date of return to school;
2. Include notice of the student's opportunity to receive a specific list of education services to make academic progress during removal, and the contact information of a school member who can provide more detailed information.
3. Inform the student of the right to appeal the principal's decision to the superintendent or his/her designee (only if a long-term suspension has been imposed) within five (5) calendar days, which may be extended by parent/guardian request in writing an additional seven (7) calendar days.

The long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

If the student is in grades pre-k through grade 3, the principal shall send his/her determination to the superintendent and explain the reasons prior to imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

All written communications regarding the hearing and principal determination shall be either hand delivery or delivered by first-class mail, certified mail, or email to the provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or by other means of communication where appropriate.

#### D. Appeal of Long-Term Suspension

A student who is placed on a long-term suspension shall have the right to appeal the principal's decision to the superintendent if properly and timely filed. A good faith effort shall be made to include the parent/guardian at the hearing. The appeal shall be held within three (3) school days of the appeal, unless the student or parent/guardian requests an extension of up to seven (7) additional calendar days, which the superintendent shall grant.

The student and parent/guardian shall have the same rights afforded at the long-term suspension principal hearing. Within five (5) calendar days of the hearing the superintendent shall issue his/her written decision which meets the criteria required of the principal's determination. If the superintendent determines the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than that of the principal. The superintendent's decision shall be final.

#### E. Emergency Removal

A student may be temporarily removed prior to notice and hearing when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The temporary removal shall not exceed two (2) school days, following the day of the emergency removal.

- During the emergency, removal the principal shall make immediate and reasonable efforts to orally notify the student and student's parent/guardian of the emergency removal and the reason for the emergency removal. The principal shall also provide the due process requirements of written notice for suspensions and provide for a hearing which meets the due process requirements of a long-term suspension or short-term suspension, as applicable, within the two (2) school day time period, unless an extension of time for the hearing is otherwise agreed to by the principal, student, and parent/guardian.

A decision shall be rendered orally on the same day as the hearing, and in writing no later than the following school day. The decision shall meet all of the due process requirements of a principal's determination in a long-term suspension or short-term suspension, as applicable.

#### F. In-School Suspension Under 603 CMR 53:02(6) & CMR 53.10

In-school suspension is defined as the removal of a student from regular classroom activities, but not the school premises, for not more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions over the course of the school year.

A Principal may impose an in-school suspension as defined above according to the following procedures:

1. The principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) days, cumulatively or consecutively, in a school year.
2. On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to

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

3. The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth above, if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal and the parent.

G. Suspension or Expulsion for Disciplinary Offenses Under M.G.L. 71 37H and 37H½ The due process notification and hearing requirements in the preceding sections do not apply to the following disciplinary offenses:

1. Possession of a dangerous weapon, possession of a controlled substance, or assault of staff

- A student may be subject to expulsion if found in possession of a dangerous weapon, possession of a controlled substance, or the student assaults a member of educational staff, and the principal determines the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.
- The Principal shall notify the student and parent(s)/guardian(s) in writing of the opportunity for a hearing, and the right to have representation at the hearing, along with the opportunity to present evidence and witnesses. After said hearing, a principal may, in his/her discretion, decide to levy a suspension rather than expulsion. A student expelled for such an infraction shall have the right to appeal the decision to the Superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Superintendent of his/her appeal. The student has the right to counsel at the hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student was guilty of the alleged offense.

2. Felony complaint or issuance of felony delinquency complaint

- Upon the issuance of a criminal complaint charging a student with a felony, or the issuance of a felony delinquency complaint against a student, the Principal may suspend a student for a period of time determined appropriate by the Principal if the Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.
  - The Principal shall notify the student in writing of the charges, the reasons for the suspension (prior to such suspension taking effect), and the right to appeal. The Principal will also provide the student and parent(s)/guardian(s) the process for appealing the suspension to the Superintendent. The request for appeal must be made in writing within five (5) calendar days. The hearing shall be held within three (3) days of the request. The suspension shall remain in effect prior to any appeal hearing before the Superintendent. At the hearing, the student shall have the right to present oral and written testimony, and the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.
3. Felony conviction or adjudication/admission in court of guilt for a felony or felony delinquency
- The Principal may expel a student convicted of a felony, or has an adjudication or admission of guilt regarding a felony, if the Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.
  - The student shall receive written notification of the charges and reasons for the proposed expulsion. The student shall also receive written notification of his right to appeal the decision to the Superintendent, as well as the appeal process. The expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent.
  - The student shall notify the Superintendent in writing of his/her request for an appeal of the decision no later than five (5) calendar days following the date of the expulsion. The Superintendent hearing shall be held with the student and parent(s)/guardian(s) within three (3) calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony, and shall have the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.
  - Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.