

Martha's Vineyard Public Schools *Student Conduct and Discipline*

The Martha's Vineyard Public Schools (MVPS) strive to provide all students with a quality education in a safe environment. Students are expected to conduct themselves in a manner, which promotes a safe, orderly learning environment within the schools and may be subject to disciplinary action up to and including the possibility of expulsion for serious offenses if they fail to do so. In imposing disciplinary action, school staff should consider the need to maintain or restore an orderly environment, the overall disciplinary record of the individual student, and the need to improve the student's behavior where appropriate. Because effective discipline involves the participation of staff, parents or guardians, and students, school officials are required to contact parents or guardians of students under age 18 for offenses of this disciplinary policy, which may result in students' long or short term suspension from school or regular classroom activities or permanent expulsion from school.

A student whose safety or learning at school is jeopardized by other students is expected to report the matter to a professional staff member. Retaliation in any form against a person who makes a complaint is forbidden. Staff members who are aware of disruptive students should take appropriate action, including immediately reporting matters, which cannot be appropriately handled in the classroom to the school administration.

SCHOOL RULES

Each school principal, in conjunction with the school staff and/or school council, will prepare a student handbook setting forth the school rules and possible consequences of violation of such rules. In addition to addressing matters specific to the individual school, such rules should address students' possession of controlled substances (including drugs and alcohol) or dangerous weapons, use of force, theft, vandalism, knowingly making a false accusation, or violation of other students' civil rights, all of which are strictly prohibited. The school committee shall review the student handbook each spring to consider changes to take effect the following September, but may also consider changes at other times. School discipline will be administered according to the provisions of the student handbook and Massachusetts General Laws and regulations, particularly M.G.L. c. 71 and 603 CMR 53, as from time to time amended.

M.G.L. c. 71, ss. 37H and 37H1/2 provide that a student who possesses a dangerous weapon or a controlled substance, or who assaults a staff member or who is charged with or convicted of a felony offense where his/her continued presence in school would have a substantial detrimental effect on the school community may be permanently expelled from school. As detailed in M.G.L., Chapter 71, §37H¾, students who commit any other disciplinary infraction, however serious, are subject to suspensions or expulsions which may not exceed 90 school days.

In making determinations under M.G.L. c. 71, s.37H¾, the school principal or designee will exercise discretion in deciding consequences for student discipline; will consider ways to reengage a student in the learning process as a result of a consequence imposed and will avoid using long term suspension or expulsion as a consequence until all other remedies and consequences have been tried.

The school principal shall provide all students suspended or expelled the opportunity to make academic progress during such suspensions and expulsions. The school will continue to provide educational services to any student suspended from school for ten (10) or fewer consecutive school

days. The school will provide an opportunity to make academic progress, to make up assignments and earn credits missed.

For all students suspended or expelled for more than ten (10) consecutive school days for any reason, the school principal shall have created a school-wide education service plan which may include, but is not limited to tutoring, alternative placements, Saturday School and online or distance learning or other alternatives permitted under state regulation.

The principal or designee shall notify the superintendent of an exclusion imposed on a student enrolled in Kindergarten through Grade 3 in writing prior to the exclusion taking effect, describing the alleged misconduct and the reason for exclusion

NON-DISCRIMINATION

No student shall be excluded from or discriminated against in admission to a public school on account of race, color, sex, gender identity, religion, national origin or sexual orientation as detailed in M.G.L. Chapter 76, Section 5. Further, the Martha's Vineyard Public Schools has no tolerance for harassment based upon race, color, sex, religion, national origin or sexual orientation.

HARASSMENT POLICY AND PROCEDURE

The Martha's Vineyard Public Schools are committed to equal educational opportunity for all students, without regard to race, color, sex, gender identity, religion, national origin or sexual orientation. Please review the policy procedures *and consequences* detailed in the Martha's Vineyard Public Schools' Sexual Harassment Policy, *which is attached and are used for all harassment complaints.*

PROCEDURAL DUE PROCESS

No student shall be disciplined without being afforded appropriate due process as provided by M.G.L. Chapter 71, § 37H, 31H1/2, 37H3/4, and 603 C.M.R. 53.00 which includes but may not be limited to notice of the disciplinary charges, opportunity for hearing, rights of the student to participate in the hearing, and rights of appeal as set forth in state law and regulations, as from time to time amended.

STUDENTS WITH DISABILITIES

In addition to the procedural protections noted above, the discipline of a student with disabilities – one who is on an Individual Education Plan (IEP) or with a Section 504 Plan – shall be governed by procedures pursuant to the Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973 *and/or* M.G.L. Chapter 71 B. If it becomes apparent that a student so identified as having special needs or referred for an evaluation may be excluded from school for a total of ten (10) days in any school year (both in-school and out-of-school), *the district personnel, the parent or guardian and other relevant members of the Team must convene within ten (10) days to review all relevant information and determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was a direct result of the district's failure to implement the IEP.*

PROHIBITION OF THE USE OF TOBACCO PRODUCTS

The use of any tobacco product is prohibited within the school buildings or school facilities, on school grounds, or school buses by any individual. A student who violates this provision may be suspended.

{Original Adoption Date} 4.3.2006 by the Edgartown School Committee

Revised: 3.2014

CROSS REFS.:

LEGAL REFS:

{Adoption Date} 6.17.2014 by the Edgartown School Committee

M.G.L. Chapter 71, Section 37H, 37H½, 37H¾

M.G.L. Chapter 76, Section 5

Provisions of the IDEA

1 st Reading	–	04.09.2014
2 nd Reading	–	05.14.2014
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