

The Westford School Committee is committed to maintaining a school environment that is safe and conducive to learning. Students are expected to conduct themselves in a manner which promotes a safe, orderly learning environment within the school and will be subject to disciplinary action if they fail to do so. The Westford Public Schools supports a policy of progressive discipline to ensure that students have the opportunity to learn from their mistakes. However, in situations where the safety of students or staff is endangered, the principal shall dispense the level of discipline necessary to maintain a safe environment.

For severe rule infractions, disciplinary action may include suspension, exclusion or expulsion from school. In imposing disciplinary action, the principal shall consider the need to maintain or restore an orderly learning environment, the overall disciplinary record of the individual student, and the need to improve the student's behavior. Suspension, exclusion or expulsion from school are tools to be used judiciously, when the administration no has other way to protect the school community and address the student's problems. Effective discipline involves the participation of staff, parents/guardians, and students. School officials will contact parents/guardians of students under age 18 for offenses that may result in students' suspension, exclusion or expulsion.

Definitions

The School Committee recognizes the following forms of progressive discipline in Westford Public Schools.

- In-school suspension - a disciplinary action imposed by school officials to remove a student from participation in school activities for one day or more but not to exceed ten days. Students suspended in school remain in school during the suspension period but are removed from academic classes and placed in a separate environment.
- **Out-of-school suspension** - a disciplinary action imposed by school officials to remove a student from participation in school activities for one day or more but not to exceed ten days. Students suspended out-of-school are not in school during the period of their suspension at any time.
- School-year Exclusion – a disciplinary action imposed by school officials to remove a student from participation in all school activities for the remainder of the school year. Students who are excluded for some portion of the school year may apply credits earned from accredited programs towards meeting their high school graduation requirements.
- **Expulsion** - a disciplinary action imposed by school officials to permanently remove a student from participation in all school activities. Student is ineligible to return to the school or the district.

Communication of Rules Regarding Possession of Drugs or Weapons

The School Committee recognizes the critical importance of an education to students' success and that serious violations of the behavior code have the potential to deny students that opportunity. To ensure that students understand the serious consequences associated with a breach of the district's behavioral expectations, the administration should use a variety of methods to communicate the possibility of expulsion based on possession of a weapon or a

controlled substance, such as marijuana. Per M.G.L. Ch. 71, Section 37H all Westford student handbooks shall contain the following language:

- a. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including but not limited to, gun or knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be expelled from school by the principal.
- b. Any student who assaults a principal, assistant principal, teacher, teacher's aide, or other educational staff, on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school by the principal.
- c. Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).
- d. Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten 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 a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- e. When a student is expelled under the provision of this section, no school within the commonwealth shall be required to admit such student or to provide educational services to said student. If the student does apply for admission to another school, the superintendent of the school to which the application is made may request and shall receive from the superintendent of the school expelling said student a written statement of the reasons for said expulsion.

In considering the appeal specified in item d. above, the superintendent shall consider the need to maintain or restore an orderly learning environment, the overall disciplinary record of the individual student, the need to improve the student's behavior, and the safety of the school community.

Expulsions not included in M.G.L. 71:37H

The following policy shall be applied for expulsions not included in M.G.L. 71:37H and 37H ½. "The School Committee shall not permanently exclude a pupil from the public schools for alleged misconduct without first giving him/her and his/her parent or guardian an opportunity to be heard."

Expulsion Students with Disabilities

M.G.L. 71:37H and 37 H ½ must be read and applied in conjunction with federal and state laws and regulations, including, but not limited to, the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq (IDEA), the Rehabilitation Act of 1973, and M.G.L. 71B.

A student with disabilities may be suspended from school for up to ten (10) cumulative days during a school year in accordance with the regular school disciplinary policies. For suspensions in excess of ten (10) days, as well as for exclusions/expulsions from school, additional procedural protections will apply.

Massachusetts General Law References:

- M.G.L. 71:37H - Publication of School Committee Rules and Regulations Relative to the Conduct of Teachers and Students
- M.G.L. 71:37H1/2 - Felony Complaint or Conviction of Student; Suspension; Expulsion; Right to Appeal
- M.G.L. 71:84 - Discipline of Students for Conduct or Matters Unrelated to School-Sponsored Activities
- M.G.L. 76:17 – Hearing Prerequisite to Exclusion

Westford Public Schools Policy References:

- P5509 - Pregnant Students

Department of Elementary and Secondary Education References:

- DESE, Education Laws and Regulations, Advisory Opinion on Student Discipline
- Massachusetts School Safety and Discipline Reporting Instructions

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WESTFORD PUBLIC SCHOOLS
Westford, Massachusetts 01886 Policy