

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' suspension or expulsion.

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.

NON-DISCRIMINATION

No student shall be excluded from or discriminated against in admission to a public school on account of race, color, sex, 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, 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. Prior to discipline, which does not involve exclusion from school or school-related activities, the student should be

informed of the charges against him/her and given an opportunity to present his/her side of the story. For discipline involving exclusion, the following procedures will be followed.

For short term suspensions, unless a student presents a danger or substantial disruption to the educational process, the student shall receive the following prior to being excluded from school for one to ten days: (1) oral or written notice of the charges against the student; (2) an oral or written explanation of the facts which form the basis for the accusation; and (3) an opportunity to present his/her side of the story. In the case of danger or a substantial disruption, this process will occur immediately after rather than before suspension.

For expulsion or a longer term suspension, the student shall receive (1) written notice of the charges against him/her; (2) written notice of the underlying facts which form the basis for the charges; and (3) an opportunity for a hearing, including an opportunity to hear the evidence against him/her, to present witnesses and other evidence on his/her own behalf, and representation by a parent, attorney and other adult. In the case of a student who is charged with possessing a dangerous weapon or controlled substance at school or a school-related event, assaulting educational staff, or who is lawfully charged with or convicted of a felony, the hearing shall be held before the principal, with appeal to the superintendent. The principal who serves as hearing officer may not conduct the investigation of student wrongdoing.

STUDENTS WITH DISABILITIES

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.

{Adoption Date} *5.7.2009 by the MVRHS School Committee*

CONTRACT REFS.:

Revised:

CROSS REFS.:

LEGAL REFS:

M.G.L. Chapter 71, Section 37H, 37H½

M.G.L. Chapter 76, Section 5

Provisions of the IDEA

1 st Reading	–	02.18.2009
2 nd Reading	–	03.12.2009
3 rd & Final Reading	–	05.07.2009