

Summary of Proposed Student Discipline Regulations: 603 CMR 53.00

- Define in-house, short-term, and long-term suspension as well as expulsion. Expulsion is defined as more than 90 school days, and may be imposed only on disciplinary offenses named in G.L. c. 71, §§37 H and 37 H³/₄;
- Require school committees and boards of trustees to adopt policies and procedures that, at a minimum, comply with the regulations;
- Consistent with G.L. c. 71, 37 H³/₄, direct principals to use discretion in deciding the consequences for a disciplinary offense determined under section 37 H³/₄, and to consider consequences other than removal from school;
- Identify the minimum oral and written notices to the student and parent required for short-term and long-term suspensions, including an opportunity for a hearing with the principal *before* the student may be suspended under section 37H ³/₄;
- Set forth the disciplinary meeting/hearing purposes and other hearing requirements when a student facing possible short-term or long-term suspension requests a disciplinary hearing under section 37H ³/₄ ;
- Address the student's right to appeal a principal's decision to suspend a student long-term to the superintendent under section 37H ³/₄;
- Permit emergency removal of the student from the school *followed by* notice and a hearing within five (5) school days if a student has committed a disciplinary offense under section 37H ³/₄ and the continued presence of the student poses a danger to persons or property, or materially disrupts the order of the school.
- Identify the minimum oral and written notice and meeting/hearing requirements for in-house suspension under section 37H ³/₄, and, unlike short- and long-term (i.e. out-of-school) suspensions, allow for in-house suspension to occur following reasonable efforts to contact the parent to provide oral notice of the offense, and oral notice and a meeting with the student. The proposed regulations also provide for written notice to the parent;
- Provide that a principal may remove a student from extracurricular activities and school-sponsored events based on the student's misconduct and that the removal is not subject to section 37H ³/₄ discipline procedures set forth in 603 CMR 53. The removal is not a suspension for the purpose of counting the number of school days that a student is suspended;

- Set out the opportunity for a student who is placed in in-school suspension or suspended for a short-term, to make up assignment, tests, and other work necessary to make academic progress during the removal from class or school;
- Require the principal to prepare a school-wide education service plan that will identify the education services available to students who have been placed on long-term suspension or expelled from the school;
- State that a student who is suspended long-term or expelled from school has an opportunity to receive education services during the period of removal so as to make academic progress during the period of removal. The services must be “based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under G.L. c. 69, §§ 1D and 1F.”
- Require notice to the parent and student of the student’s opportunity to receive education services at the time that the student is removed from the classroom for in-school or short-term suspension, or otherwise suspended or expelled;
- Require school districts to verify and document a student’s enrollment in education services, when the student has been placed on long-term suspension or expelled; further require reporting of data regarding the student’s progress, attendance, and all other data reported on enrolled students, and as may be directed by the Department;
- Set forth the Department’s collection and publication of suspension and expulsion data, and provision of assistance to districts with significant numbers of suspended and expelled students.