SUPERINTENDENT’S 10 POINT-CHECKLIST FOR IMPLEMENTATION OF CHAPTER 222 OF THE ACTS OF 2012: STUDENT DISCIPLINE LAW

1. ____ The superintendent, principals and assistant principals, and other school leaders, have reviewed new G.L. c. 71, § 37H ¾ and G.L. c. 76, § 21, ESE Student Discipline Regulations, and, as it becomes available, Department-issued guidance on student discipline.

2. ____ The Superintendent has worked with staff to determine the budgetary implications of implementation of Chapter 222.

3. ____ Local policies, procedures, and protocols as well as handbooks have been revised to comply with the new discipline requirements.

4. ____ Local policies, procedures, and protocols reflect the practices, interventions, and program models that will be in place in schools as a consequence for misconduct so that long-term suspension (more than 10 school days) is used only as a last resort as a consequence for non-statutory offenses.¹

5. ____ School staff have information about practices, interventions, and program models that may be used as a consequence for non-statutory offenses so that long-term suspension is used only as a last resort.

6. ____ Each school has a school-wide education service plan in place that describes the education services that will be offered to students who are suspended or expelled from school for more than 10 consecutive days, and that will provide an opportunity for the student to make academic progress during the period of exclusion.

7. ____ Principals are prepared to offer education services to students who are suspended, in-school or out-of school, for 10 days or less so that students can make academic progress while they are removed from their classroom or school premises.

8. ____ Schools have a system that they will use to timely notify, orally and in writing, parents of students who have violated school rules and may be suspended, so that parents may be involved in a meeting/hearing with the principal to discuss the misconduct and consequences before consequences are imposed. Schools have a plan

¹ The term non-statutory offenses refers to any misconduct OTHER THAN: 1) possession of a dangerous weapon or controlled substance on school premises or school-sponsored activity or event; 2) assault on a member of the educational staff; and a felony charge or conviction, or an adjudication or admission of guilt to such charge 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 specific offenses set out in this footnote are identified in, and subject to, G.L. c. 71, § 37H and 37H1/2.
for translation of required notices and access to interpreters who may be used at
disciplinary hearings.

9. ____ The district has a data collection system for suspensions and expulsions that
meets ESE data reporting requirements. The district has also developed a system for
tracking participation and academic progress of students who are offered education
services during suspension or expulsion. (See #6 and #7)

10. ____ School leaders periodically review data to determine the impact of suspensions
and expulsions on selected student populations, including but not limited to race and
ethnicity, gender, socioeconomic status, English language learner status and student
with a disability status, and whether the data indicate over-reliance on suspension or
expulsion as a consequence for student misconduct.