**Student Discipline Regulations, 603 CMR 53.00 – Proposed Technical Amendment to 603 CMR 53.05 to Conform to M.G.L. 71, § 37H¾(b), as Amended by St. 2022, c. 177, § 29**

**Summary:** The proposed technical amendment conforms 603 CMR 53.05 to the requirements of M.G.L. 71, § 37H¾(b), as amended by St. 2022, c. 177, § 29.

Proposed amendments are indicated by underline (new language) or ~~strikethrough~~ (deleted language).  For the complete text of the current Student Discipline Regulations, 603 CMR 53.00, see

<https://www.doe.mass.edu/lawsregs/603cmr53.html?section=all>.

**Presented to the Board of Elementary and Secondary Education for initial action: June 27, 2023**

**Period of public comment: through August 11, 2023**

**Final action by the Board of Elementary and Secondary Education anticipated: September 19, 2023**

[603 CMR 53.00 Student Discipline](https://www.doe.mass.edu/lawsregs/603cmr53.html?section=all) …

**53.05: Alternatives to Suspension under M.G.L. c. 71, § 37H¾** *(Current text)*

In every case of student misconduct for which suspension may be imposed, a principal shall exercise discretion in deciding the consequence for the offense; consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive interventions and supports.

*Proposed amendment (redlined)*

In every case of student misconduct for which suspension may be imposed, a principal*,* headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing shall first ~~exercise discretion in deciding the consequence for the offense;~~ consider ways to re-engage the student in learning; and shall not use~~avoid using long-term~~ suspension from school as a consequence until alternative~~s~~ remedies have been tried, except as follows:  (1) where said decision-maker documents specific reasons why alternative remedies are unsuitable or counterproductive; or (2) where the student’s continued presence in school would pose a specific, documented concern about the infliction of serious bodily injury or other serious harm to another person while in school. Alternative~~s~~ remedies may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and collaborative problem solving*~~,~~* ~~and positive interventions and supports~~.

*Proposed amendment: with changes accepted*

In every case of student misconduct for which suspension may be imposed, a principal*,* headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing shall first consider ways to re-engage the student in learning; and shall not usesuspension from school as a consequence until alternative remedies have been tried, except as follows:  (1) where said decision-maker documents specific reasons why alternative remedies are unsuitable or counterproductive; or (2) where the student’s continued presence in school would pose a specific, documented concern about the infliction of serious bodily injury or other serious harm to another person while in school. Alternative remedies may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and collaborative problem solving.