

Foster School District

Policy # 5131

Student Conduct, Behavior and Discipline

PURPOSE:

The purpose of this policy is to establish expectations and responsibilities governing the conduct and behavior of all school students, including the provision for the enforcement of same.

PHILOSOPHY:

The School Committee believes that every resident student has the right to receive a free, appropriate public education in the Foster Schools. That to secure these rights, each student has a right to an education free from harassment, free from physical or psychological harm, and free from disruptive behaviors by him or herself or of other students.

The School Committee believes that a school, like any community, must have rules by which to operate. The School Committee, with the help of students, parents and staff, sets forth these guidelines and rules by which we can function efficiently and fairly in the community.

GENERAL: RIGHTS AND RESPONSIBILITIES

A modern school is like a community in miniature. And, like any community, it must have rules by which it operates: the alternative being social chaos. A complete understanding of each person's rights and responsibilities within the school community is necessary.

Responsibilities refer mainly to the individual's obligation to others. In order for individuals to preserve their own rights, they must assume a sense of responsibility toward the preservation of the rights of others. Those rights terminate at the point where they begin to infringe upon the rights of others. To the extent responsibilities are fulfilled, rights become more assured. To the extent responsibilities are not carried out, one's own rights become jeopardized. Responsibilities provide the foundation upon which individual rights become meaningful and effective.

In order to insure every individual's rights, standards of acceptable behavior shall be developed, established and maintained. Every effort should be made to solve disciplinary problems within the school setting and without excluding a student from school.

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RESPONSIBILITIES:

1. Students:

Students have the responsibility to respect the rights of all persons involved in the learning process. Students also shall exercise the highest degree of self-discipline in observing and adhering to rules and regulations. No student has a right to interfere with the education of fellow students. In order to fulfill these democratic ideals, a student must have respect for parents, teachers, fellow students and other adults. Most importantly, the student must have respect for self; believe in self and individual worth.

2. Staff:

- A. the School Committee holds all school personnel, through the Superintendent, responsible for the proper conduct and control of students while under the legal supervision of the school, and supports all personnel acting within the framework of the District policy. The Committee expects all employees to exercise sound professional judgment in employing preventive, therapeutic, and punitive measures to promote acceptable student behavior.
- B. The Superintendent shall establish procedures to carry out this policy and for the conduct of students in the schools including any and all school connected activities, and shall support all school personnel performing their duties within the framework of the District policy.
- C. The school Principal shall be responsible to the Superintendent for the conduct of the school. The Principal shall be given the responsibility and authority, and may include the faculty in the process, to formulate such procedures as necessary to enforce the District policy. The Principal shall give full support to teachers performing their duties within the framework of the District policy. The Principal shall exercise professional judgment in the disposition of behavior referrals.
- D. Teachers shall be responsible for proper and adequate control of students at all times. Teachers shall enforce the rules and regulations of the schools and shall give support to their Principals in maintaining District policy. Teachers are expected to use all resources at their disposal before referring discipline problems to the Principal. The prime responsibility for maintaining discipline in the classroom and in the general area of child supervision rests with the teacher.

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- E. Responsibilities of support personnel relating to student behavior shall be limited to those specifically authorized and assigned by the Superintendent and/or the building principals;

3. Parents:

The ultimate responsibility for children's behavior rests with the parents. The following are among their specific responsibilities:

- A. Parents should be involved with their child, and are, therefore, expected to cooperate with the school authorities and participate in conferences regarding the behavior of their children.
- B. Support the schools in requiring their children to observe all school rules and regulations.
- C. Accept responsibility for any willful misbehavior on their student's part.
- D. Send students to school with proper attention having been given to health, personal cleanliness, and appropriateness of dress that is reflective of neatness and non-distractive in nature.
- E. Maintain an active interest in the student's daily work. Make it possible for them to complete assigned homework, particularly by providing suitable conditions for study.
- F. Comply with the schools requests. This includes reading carefully all communications and signing and returning them as requested.

ZERO TOLERANCE

The School Committee supports the recommendations of the Attorney General in relation to zero tolerance for weapons and assaults.

Definitions

Weapons

The term "weapons" shall include, by way of illustration, the following enumerated items: any loaded or unloaded firearm (e.g., pistol, blank pistol, signal pistol, starter pistol, revolver, rifle, shotgun, etc.); any knife (e.g., Bowie, Dirck, lock-blade, hunting pen, pocket, switchblade, utility, etc.); any razor (e.g., straight, regular, retractable, etc.); any defensive weapon (e.g., gas repellent, mace, stun gun, etc.); any martial arts device (e.g., Chinese stars, nunchauu, etc.) or any tool or instrument which

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school administrative staff could reasonably conclude as being capable of inflicting bodily harm (e.g., blackjack, chain, club knuckles, night stick, pipe, studded bracelet, etc.); or which by virtue of its shape or design gives the appearance of any of the aforementioned (e.g., air pistol, air rifle, BB gun, etc.).

Assault

Assault is defined as an act of physical violence or an aggravated threat of physical violence by a student on another student or staff members.

When considering what constitutes aggravated assault, the factors to be weighed include: age of student(s) involved, seriousness of bodily injury, the state of mind of the individual(s) involved, any other factors deemed relevant to the principals or their designee.

ENFORCEMENT OF ZERO TOLERANCE FOR WEAPONS AND VIOLENCE POLICY

- A. Any student found to be in possession of a weapon, or involved in an aggravated assault, as defined herein, may immediately be suspended in accordance with applicable due process provisions. During this suspension, the school district will take the necessary steps in determining any additional action, which may include long-term suspension.
- B. Decisions regarding the specific length of a student's suspension will be made by each School Committee or appropriate authority. Any student suspended from school cannot participate in school functions or be on school premises.
- C. In all cases involving weapons or aggravated assault in schools or on school grounds, local police shall be called, and all confiscated weapons are to be turned over to the police department.
- D. A log of all confiscated weapons will be kept by school administrators and will be available to be reviewed by the local police department on a monthly basis.

SUSPENSION:

Under the compulsory education statutes of the State, school attendance becomes an obligation. Whenever physical, mental, or emotional factors seem to preclude the fulfillment of this requirement, the Building Administrator shall be authorized to take appropriate action as provided for herewith.

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The building principal or designee may suspend for a period of time not to exceed ten (10) consecutive school days. "Suspension" means an exclusion from school privileges for disciplinary reasons by an authorized member of the administrative staff for not more than ten (10) consecutive days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed.

It is understood that suspension from school is an extremely serious disciplinary option, and in most cases, suspension should be implemented only after other disciplinary procedures have been attempted. It is further understood that for some students out of school suspension is not a punitive action, and therefore, other types of corrective action should be implemented.

When other options have been attempted, after which suspension becomes necessary, the following due process procedures must be followed:

1. The principal shall observe the following procedures except in cases where the student has already been, or such suspension will result in the student's being suspended more than ten times or fifty days in a school year, whichever results in fewer days of exclusion or except in circumstances under which the student will be prevented from completing a normal course of study.
 - A. Unless an emergency situation requiring the pupil's immediate removal exists, no student shall be suspended prior to having an informal hearing before the principal or his or her designee at which the student is informed as to the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
 - B. By telephone, the principal or designees, shall make all possible attempts to immediately notify the parent or guardian of the student about the suspension and state the cause(s) leading to the suspension.
 - C. Whether or not telephone contact is made with the parent or guardian, the principal, or his or her designee, shall forward a letter to such parent or guardian to the last address reported on school records (or to a new address if known by the principal, or his or her designee) within one school day of the suspension action and offering the parent or guardian an opportunity for a conference to discuss same.

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- D. Notice of the original suspension shall be transmitted by the Principal, or his or her designee, to the Superintendent of Schools by the close of the school day following the commencement of the suspension.
 - E. Following a conference with the principal, or his or her designee, the student or his or her parent(s) or guardian(s) may request the Superintendent of Schools, or his or her designee, to review the principal's decision. Such review shall be completed and a written report issued to the student and his or her parent(s) or guardian(s) and to the School Committee within three days of such request. In re-examining the principal's decision to suspend, the Superintendent shall require the principal, the person who witnessed and reported the incident which resulted in the student's suspension, and the student to give individual accounts as to the events leading to the suspension. The Superintendent may, if deemed appropriate, call all involved parties together for a conference.
 - F. If a student is eighteen years of age or older, any notice required by this policy shall be given to the student.
 - G. Textbooks and homework are to be provided each pupil for the duration of the suspension period and the student shall be allowed to complete any class work, including examinations, without penalty, which he or she missed while under suspension.
 - H. The Superintendent of Schools shall report any unusually serious case of pupil suspension to the School Committee at their first meeting following such action.
 - I. Cases involving 10 days or less suspension may be referred to the School Committee for review.
2. In cases where the student has already been, or such suspension will result in the student being suspended more than ten times or fifty days in a school year, whichever results in fewer days of exclusion, or in circumstances under which the student will be prevented from completing a normal course of study, the student shall, prior to suspension, be granted a formal hearing before the School Committee.

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LONG TERM SUSPENSION:

The term, long term suspension, means the exclusion of a pupil for more than (10) consecutive school days by the School Committee for a period of time not extending beyond the current school year.

CORPORAL PUNISHMENT:

Finally, the Committee believes that corporal punishment is inconsistent with the values expressed in this Code. Furthermore, there is no need to resort to corporal punishment, because this Code provides ample authority to deal with disruptive students without inflicting physical pain upon them.

The Superintendent will issue administrative procedures to implement the foregoing.

The School Committee believes that this policy is consistent with the State Policy Statement on Student Rights, which is endorsed and included for reference.

Adopted: 26 September 1989

Reviewed: 3-22-2005