

Student Discipline:

MASC + MASS Joint Conference

November 5, 2014

**MASSACHUSETTS DEPARTMENT OF
ELEMENTARY AND SECONDARY
EDUCATION**



Mashpee One Room Schoolhouse: Original Rules of Conduct throughout the 1800s

Provided by Frank Lord, President of the Mashpee One Room Schoolhouse Preservation Society

Rules for Teachers in 1872:

1. Teachers each day will fill lamps, clean chimneys.
2. Each teacher will bring a bucket of water and a scuttle of coal for the day's session.
3. Make your pens carefully. You may whittle nibs to the individual taste of the pupils.
4. Men teachers may take one evening each week for courting purposes, or two evenings a week if they go to church regularly.
5. After ten hours on school work, the teachers may spend the remaining time reading the bible or other good books.
6. Women teachers who marry or engage in unseemly conduct will be dismissed.
7. Every teacher should lay aside from each pay a goodly sum of his earnings for his benefit during his declining years so that he will not become a burden on society.
8. Any teacher who smokes, uses liquor in any form, frequents pool or public halls, or gets shaved in a barber shop will give good reason to suspect his worth, intention, integrity and honesty.
9. The teacher who performs his labor faithfully and without fault for five years will be given an increase of twenty-five cents per week in his pay, providing the Board of Education approves.

Student Rules in 1860:

1. Boys and girls shall file into classroom in separate lines and be seated quietly on opposite sides of the room.
2. Boys shall remove their caps when entering.
3. Children must sit up straight at all times.
4. Children must not squirm, fidget or whine.
5. Children must be clean and tidy in clothing.

6. There will be a daily inspection of neck, ear and fingernails prior to class to ensure cleanliness of person.
7. Young ladies must never show a bare ankle; girls' and boys' clothing should cover arms and legs completely.

Punishments:

1. Five minutes tardy in the morning = 1 hour after school.
2. Double assignments if homework is not done.
3. Nothing shall be dipped into ink wells except pens.
4. Children who are caught writing with their left hand = 1 ruler rap on the knuckles.
5. Do not speak unless spoken to by the teacher. Talking in class = 1 whack with a rod.
6. Nothing shall be thrown in class.
Such behavior = 5 whacks with a rod.
7. Chewing of tobacco or spitting = 7 whacks with a rod.
8. Speaking immoral language = Suspension.
9. Carving on desks or defacing school property = Expulsion.
10. Fighting, lying, or cheating = Expulsion.

**Only well-mannered
children may attend school.
Remember: education is a privilege.**

The Mashpee One Room Schoolhouse is open for free public tours every Thursday from 10am until 2pm from June to October. To schedule tours for individuals or groups on other days of the week, please email "Schoolmaster" Frank Lord at fjlord@msn.com.



WHAT'S NEW IN SY '14

- ★ M.G.L. c. 71, s. 37H $\frac{3}{4}$
 - ★ all non-statutory offenses
- ★ M.G.L. c. 76, s. 21
 - ★ Opportunity to make academic progress during a period of suspension or expulsion
 - ★ School-wide education service plan
 - ★ A list of education services available to students who are suspended or expelled for more than 10 consecutive days
- ★ 603 CMR 53 – Student Discipline Regulations



KEY COMPONENTS

- ★ Avoid using suspension as consequence until alternatives have been tried; build positive school climate;
- ★ Engage parents;
- ★ Provide suspended or expelled students an opportunity to make academic progress during their suspension or expulsion;
- ★ Collect and review data to monitor building and district use of suspension and expulsion and impact on selected student populations; adjust practice as necessary and appropriate.



STATUTORY OFFENSES

- ★ M.G.L. 71, s. 37H and 37H ½
- ★ Notice and hearing process unchanged **except** for obligations related to providing opportunity to make academic progress during suspension and expulsion



NON-STATUTORY OFFENSES (37H $\frac{3}{4}$)

- ★ G.L. c. 71, section 37H $\frac{3}{4}$
 - ★ Anything not covered by 37H and 37H $\frac{1}{2}$
- ★ 90 school day limit for suspension- 37H $\frac{3}{4}$
- ★ Oral and written notice to parents/students, and opportunity to be heard **before** suspension for 37H $\frac{3}{4}$ offenses - 603 CMR 53.06
 - ★ Reasonable efforts re oral notification
- ★ Rights/process for short and long-term suspension hearings - (53.08)
- ★ Appeal to Superintendent from decision to suspend long-term (more than 10 days consecutively or cumulatively) (53.09)



USE OF ALTERNATIVES TO SUSPENSION

- ★ Build positive school climates, strict but fair discipline, high standards, supportive educators
 - ★ Evidence-based research
- ★ Use other methods to address misconduct – restorative justice, conflict resolution, positive interventions and supports
- ★ Exercise discretion in deciding consequences
- ★ Notify superintendent if preK to gr. 3 suspension



SUSPENSION WITHOUT PRIOR NOTICE AND HEARING

★ Emergency removal - 37H ¾

- ★ *Continued presence of student poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption*
- ★ Hearing within 2 full school days following the day of suspension

★ In-school suspension

- ★ 10 days and under
- ★ Over 10 days consecutive or cumulative – considered long-term suspension for due process, appeal, and reporting purposes



ACADEMIC PROGRESS

- ★ Academic progress - **37H, 37H ½, 37H ¾**
 - ★ 10 days or less
 - ★ Make up homework, tests, papers, etc
 - ★ More than 10 consecutive days
 - ★ School-wide education service plan
 - ★ Provide opportunity to make academic progress toward meeting state and local requirements
 - ★ Based on academic standards, curriculum frameworks for all students
 - ★ List of education services
 - ★ Selected by student/parent



DISCIPLINE DATA

- ★ Periodic review by principal of discipline data (includes education service info)
- ★ ESE annual publication of report and analysis of discipline data disaggregated by district and school and selected student populations
- ★ Identification of schools with highest % of students expelled or placed on long-term suspension; identify program models to reduce overreliance on exclusion
- ★ Identification of schools and districts with data reflecting significant disparities in rate of suspension and expulsion by race and ethnicity, or disability; ESE-approved plan required to address.



FUNDING

- ★ Circuit Breaker

- ★ Reimbursement

- ★ Instructional costs for alternative educational services

