



**Framingham**  
PUBLIC SCHOOLS

**Code of Character, Conduct, and Support  
and Student Behaviors**

November 1, 2023

Courtney Balacco, Executive Director of Student  
Supports



# District Strategic Priorities

# Strengthen Standards-Based, Grade-Level Instruction to Meet the Needs of All Students

We are committed to consistently meeting the needs of all students in all classrooms and in all instructional settings. To achieve this, we will strengthen teaching and learning through the use of standards-based, grade appropriate instruction that is culturally responsive, research-based, and fosters a sense of belonging in every school. We will model continuous improvement through setting measurable outcomes for student learning and interrogating our own instructional practices, so that we reflect the highest quality of teaching and learning, particularly for historically marginalized subgroups.



# Deepen Relationships to Ensure Belonging for All Students

We will develop and deepen relationships and collaboration with students and families in order to ensure belonging for all. All relationships, partnerships, and collaboration efforts will expand equity, belonging, and family engagement and will center student voice, particularly for historically marginalized subgroups. To achieve this, we will create and expand engagement and opportunities that reflect our core values and support students from early childhood to college and career pathways.

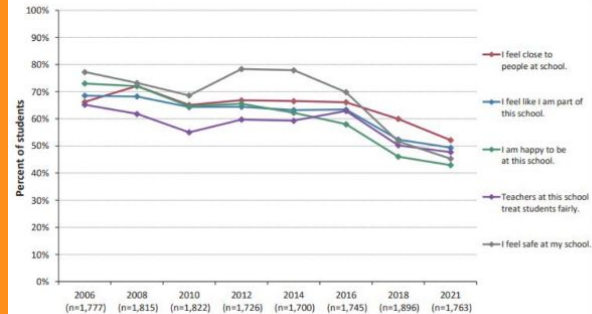


# Metrowest Adolescent Health Survey 2021

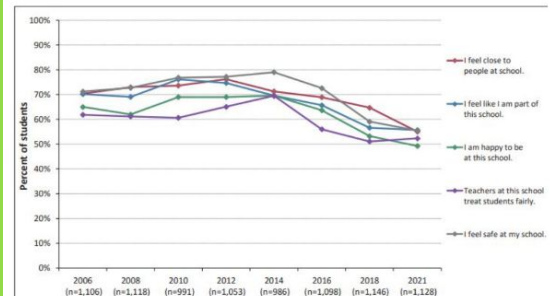
## A Call to Action

- HS: "Feeling close to people at school" decreased from 60% in 2018 to 52% in 2021
- HS: "Feeling like a part of this school" decreased from 52% in 2018 to 49% in 2021
- MS: "Feeling close to people at school" decreased from 65% in 2018 to 55% in 2021
- MS: "Feeling like a part of this school" decreased from 53% in 2018 to 49% in 2021

### School Connectedness - High School



### School Connectedness - Middle School



# Words to Motivate Action



“Understand our background and understand us as people like religion wise, culturewise -- due to those things people live different lives and I feel like they should notice that more.”

- FHS sophomore

“There has been a loss of empathy and I don’t know how to get it back.”

- Framingham Administrator



# Code of Character Conduct and Support

# Code of Character Conduct and Support



## Goal of Systemic Change

- Classroom Practice
- MTSS Structure
- Restorative Practices
- Behavior Matrix with a focus on equity, intervention, and teaching





# 10 Days of SEL /Belonging Focus to Start the Year



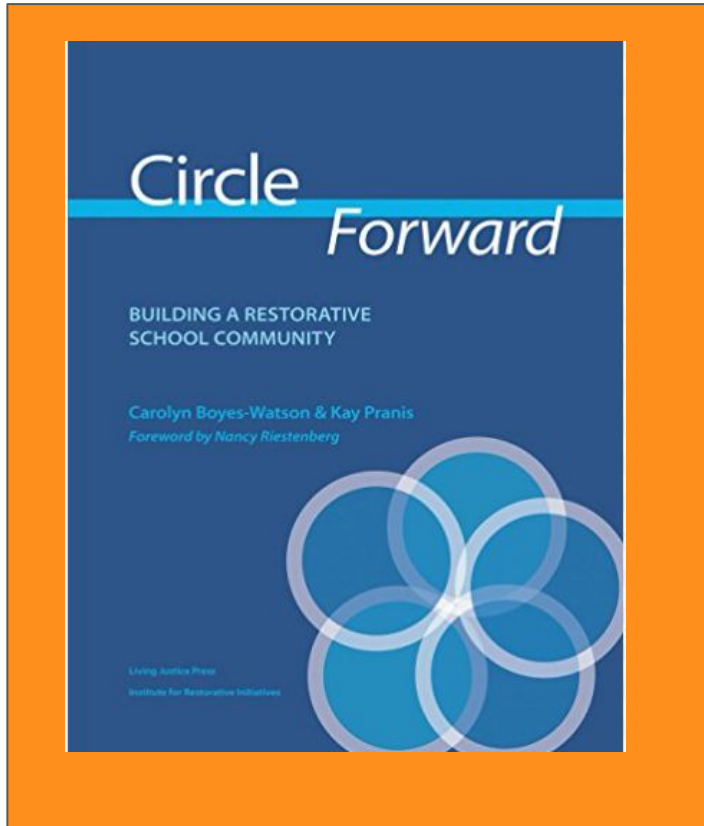
- ❑ It put the pressure off me as a teacher! I didn't have to get started with curriculum right away. I had a perfect amount of time to teach routines, expectations, and get to know my students and have them know each other. And we had FUN!
- ❑ There was time to actually listen to a read aloud, share and practice expectations, and bond. I loved it!

# Tier 1 Structures: Morning Meeting PreK-5



- ❑ It put the pressure off me as a teacher! I didn't have to get started with curriculum right away. I had a perfect amount of time to teach routines, expectations, and get to know my students and have them know each other. And we had FUN!
- ❑ There was time to actually listen to a read aloud, share and practice expectations, and bond. I loved it!

# Tier 1 Structures: Community Building Circles 6-8



## Round 2: If you could go anywhere in the world where would you go and why?

		Think about a place in the world that you would like to visit (or revisit). Use your computer to find a picture of the place.
		Show your image to your partner. Explain why you like that place. Point or name things in the picture. "I like the _____."
		Practice the sentence frame with your partner.
		Share or pass during the circle

I would go to \_\_\_\_\_  
because \_\_\_\_\_.

- ❑ This year felt more calm. You know, more welcoming. -student
- ❑ I never expected these two kids to work together... and they were having a good time! -teacher
- ❑ This has been the calmest start to the school year in a long time." -school admin
- ❑ Circles have been career changing- teacher

# School Wide Community Meetings



# Supporting Relationships that May Have Been Harmed Tier 2/3

We are constantly searching for ways that we can change the child..perhaps the first significant change should come from us. Perhaps we should first analyze and change our policies, procedures, and practices when dealing with hard to reach kids”

*-Author Richard Lavoie from the The Motivation Breakthrough*



## Punishment

Punishment is an end itself.  
The intention is:

- To inflict sufficient discomfort
- Unpleasantness
- An undesired consequence in order to stop unskilful behavior
- Exerted for control

## Do Nothing

Avoidance to engage students. This happens because:

- Fear of confrontation or of being disliked
- Uneasiness about one's authority
- Disinterest in helping students change behavior
- Belief that nothing will work
- Concerns that a strategic response will take too much time and energy

## Accountable and Restorative

Restorative and Accountable Discipline is a **learning opportunity** in which the student:

- Accounts for their behavior
- Takes some action to problem solve, self-correct, right oneself, or repair the harm done
- Learns more skillful behavior, and develops greater personal efficacy.
- **Is built on a foundation of trust and relationship.**



# Accountable Consequence



Consequences are rooted in teaching and learning

Protocols for consequence to support accountability not punishment and to ensure mutual respect.

**Framingham PUBLIC SCHOOLS**  
Department of Health & Wellness |

**Structured Lunch**

Objective:	Consequence and Intervention from District Code - Goal is to restore relationships, repair harm, and learn target behaviors (LLCs)
Time Frame:	30 minutes during lunch time
Target Students:	Student who has engaged in level 2-5 behavior from the Code of Conduct
<b>What it Looks Like</b>	
<ul style="list-style-type: none"><li>One on one conversation with adult and student (if more than one student focused time with each)<ul style="list-style-type: none"><li>Sitting together</li><li>Focused attention between student and adult</li></ul></li><li>Quiet place<ul style="list-style-type: none"><li>Limited distractions</li></ul></li><li>No reinforcers<ul style="list-style-type: none"><li>No toys/games</li><li>Limited conversation to only the restorative conversation</li></ul></li><li>Once the conversation is finished, the student should remain in the quiet space for the remainder of their lunch.</li></ul>	<a href="#">Restorative Conversation</a> <a href="#">Training slides</a>
<b>Responsibilities</b>	
<p>Listen to the student - Let the student speak</p> <ul style="list-style-type: none"><li>Rephrase what the student is saying for complete understanding</li><li>Fill out a Think Sheet ( Restorative Conversation/Zones)</li><li>Questions to ask:<ol style="list-style-type: none"><li><b>What happened?</b> (This question encourages students to take responsibility and own their behavior. If a student needs support in unpacking their part in the conflict, consider asking, "What was your role in this?")</li><li><b>How did your actions/your words make _____ feel? Or, how did your actions/words impact the class?</b> (This question supports students to take the perspective of the other and reflect on the impact of their behavior. )</li><li><b>What can you do to make it right?</b> (This question encourages students to take an action that</li></ol></li></ul>	<a href="#">Restorative Conversation Think Sheets</a> <a href="#">ZonesThink Sheets</a>

# Every Consequence Paired with Intervention



A menu of restorative interventions designed to:

- Fix harm
- Mend relationships
- Repair good standing in community

\*This is a live document. Scan the QR code for the digital version in order to access updated documents.



## Intervention Menu

Social Emotional and Behavior Tier 2 & 3 Interventions

Associated documents:

<a href="#">MTSS SEB Handbook</a>	<a href="#">Learning and Life Competencies (Port. Spc)</a>	<a href="#">Attendance Handbook/Interventions</a>	<a href="#">Assessment of Learning Skills (Use as needed to determine intervention)</a>	Scan QR code to access protocol updates

	Resource/ Intervention	Objective	Progress Monitoring
<b>Immediate/ Short Term Interventions:</b> Occur in direct response to a social/emotional/ behavioral incident			
Tier 2/3	<b>Restorative Conversation</b> <a href="#">PROTOCOL</a>	Provides students with the opportunity to repair relationships after directly harming an individual or group, or when two or more students are involved in an interpersonal conflict.	Intervention marked in Aspen
Tier 2/3	<b>Behavior Problem Solving Conferences</b> <a href="#">PROTOCOL</a>	To identify one Target Behavior and 1-3 related strategies a student needs to develop in order to address persistent unskillful behavior. The Behavior Problem Solving and Planning Conference (BSPSC) is also the first step in the CICO intervention.	Intervention marked in Aspen Through CICO
Tier 2/3	<b>Re-entry from Suspension Contracts</b> <a href="#">PROTOCOL</a>	A reflective and collaborative (student, admin, support staff, and parent/caregiver) re-entry process that focuses on repairing harm and moving forward to prevent further behavior	Intervention marked in Aspen




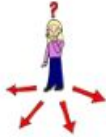



# Restorative Interventions:

- Restorative Conversation
- Student to Student Mediation
- Student to Staff Mediation
- Behavior Coaching
- Behavior Problem Solving Conferences

## Staff-Student Mediation:

- can foster empathy and understanding between each member;
- is an opportunity for the student and staff to be heard, understood, and affirmed;
- fosters an environment of caring, dignity, and respect;
- can restore the calm in a classroom and heal a fraught staff-student relationship;
- models conflict resolution skills.

<p><b>S</b> Starting</p>	<p>Everyone will agree to be here and reflect on their mindsets.</p> <p><u>We will:</u></p> <ul style="list-style-type: none"> <li>• Communicate respectfully</li> <li>• Know that we all have different experiences that shape our perspectives</li> <li>• Listen without interrupting</li> <li>• Keep an open mind</li> <li>• Use each other's names</li> </ul> <p><u>We understand that:</u></p> <ul style="list-style-type: none"> <li>• Only necessary people will know what is said here</li> <li>• We work toward compromise, and an apology is not mandatory</li> <li>• Our definition of respect may vary</li> </ul> <p><u>Please remember:</u></p> <ul style="list-style-type: none"> <li>• The mediator will not take sides</li> <li>• The student will get the chance to share their side of the story first</li> </ul>	
<p><b>T</b> Tell your story</p>	<p>Both sides will get a turn. The student will start first. Let's hear what happened.</p> <p>How did you feel when that happened? Why?</p> <p>Do you have anything to add?</p>	
<p><b>A</b> Assess Needs</p>	<p>What do you need from each other? How can we make this better?</p> <p>Is there anything else you want to say to each other?</p> <p>How did this impact our community?</p>	
<p><b>R</b> Review</p>	<p>You heard both sides, how can we solve this problem? What seems fair and possible?</p> <p>If a situation like this comes up again, what can you say or do differently?</p> <p>What do you need to say to show this problem is solved?</p>	
<p><b>T</b> Thank</p>	<p>Thank you for working through this problem. (The mediator) will check back with both of you on _____.</p> <p>Do we need support from anyone else today to reach our goal?</p>	

# Building Tier 1 Practices

---

## Universal Practices

→ Classroom  
Practices

## School Wide Practices

### SEL curricula that Support Tier 1:

- Second Step Social Emotional Learning (PreK-8)
- Second Step Bully Prevention (PreK-8)
- Zones of Regulation (K-5)
- Character Education Theme of the Month (K-5)
- Morning Meeting (Pre-5)
- Community Building Circles (6-8)

# Adding To Our PBIS System

---

**Universal Practices**

**Classroom Practices**

→ **School Wide Practices**

- ❖ A set of schoolwide rules and procedures that results in safe, orderly, and welcoming public spaces where staff and students feel cared for while navigating recess yard, hallways, cafeteria, restrooms.
- ❖ When these procedures occur across 90% of the school culture, students become more self-managed, socially skillful, and can more easily transition into classrooms ready to learn.

# Adding To Our PBIS System

Universal Practices

Classroom Practices

→ School Wide Practices

Schoolwide Strategies		
Promotion	Prevention	Intervention
<ol style="list-style-type: none"><li>1. Districtwide Rules</li><li>2. Meet &amp; Greet</li><li>3. School Entry Procedure</li><li>4. Hallway Procedures</li><li>5. Cafeteria Procedures</li><li>6. School Exit Procedure</li><li>7. Standardized Hallway Pass System</li></ol>	<ol style="list-style-type: none"><li>1. Depersonalization</li><li>2. First Response</li><li>3. Defusing</li></ol>	<ol style="list-style-type: none"><li>1. Reset Space (Elem)</li><li>2. Teacher-Student Mediation</li><li>3. Student-Student Mediation</li><li>4. Group Restorative Conference</li><li>5. Bullying and Harassment Protocol</li></ol>

# Discipline and Student Support


## → Determining Discipline Responses

## Levels of Consequence & Intervention

## Behavior Violations and Consequence Matrix


## Guide to Restorative Intervention

# 5 District Rules



**Framingham Public School Rules**  
*Promoting consistent standards of behavior across all schools*

<p><b>Rule 1:</b> I respect personal space</p> <p><b>Rule 2:</b> I respect differences</p> <p><b>Rule 3:</b> I am on time and stay in my place</p> <p><b>Rule 4:</b> I listen and follow directions</p> <p><b>Rule 5:</b> I use respectful language</p>	<p>The Framingham School Rules are Followed:</p> <ul style="list-style-type: none"><li>• In all school buildings and school grounds</li><li>• At bus stops and on buses</li><li>• At school sponsored events</li><li>• When using electronic devices on or off campus that have an impact on our school community</li></ul>
---	---



**Framingham Public School Rules**  
*Promoting consistent standards of behavior across all schools*

<p><b>Rule 1:</b> I respect others' personal space.</p> <p><b>Rule 2:</b> I respect and value everyone's individual and group dignity and identity.</p> <p><b>Rule 3:</b> I arrive on time, stay in class, and have a pass/permission to travel in public spaces.</p> <p><b>Rule 4:</b> I listen, acknowledge, and respond to directives and requests.</p> <p><b>Rule 5:</b> I communicate respectfully and use school-appropriate language.</p>	<p><b>The Framingham School Rules are Followed:</b></p> <ul style="list-style-type: none"><li>• In the school building and on school grounds</li><li>• On public property immediately adjacent to school grounds</li><li>• At a bus stop, on the school bus, or in other school-sanctioned transportation such as another vehicle owned, leased, or used by the school district</li><li>• At a school-sponsored or school-related activity, function, or program whether it takes place on or off school grounds</li><li>• When using electronic devices on or off campus that impacts the school community</li><li>• When the conduct otherwise violates the Code of Character, Conduct, and Support and has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the school or the safety of individuals in the school environment</li></ul>
--	---

# Code and Culture Team


Discipline and Student Support

→ Determining Discipline Responses

Levels of Consequence & Intervention

Behavior Violations and Consequence Matrix

Guide to Restorative Intervention

  
**OFFICE OF TEACHING AND LEARNING**

**MTSS Tier 1 Team/ HS Steering Committee**  
[Ewinning District Agenda](#)

**Recommended Team Members and Roles for Shared Leadership:**

Team Member	Role
<input type="checkbox"/> Assistant Principal and SEB Coach/ PBIS Coach MS:	<input type="checkbox"/> General Ed. Teacher Reps/ Teacher Code Leaders (MS)
<input type="checkbox"/> Facilitator	<input type="checkbox"/> Special Education Staff Member
<input type="checkbox"/> Support Staff Representative(s)	<input type="checkbox"/> ELL Teacher
<input type="checkbox"/> SEB (ES)	<input type="checkbox"/> Other:
<input type="checkbox"/> PBIS Coach (MS)	

<b>Meeting Time</b>	After/Before School Monthly (frequency determined by school based on budget for meeting attendance)
<b>Objective of Team</b>	1. Implementation of the Code of Conduct Character and Support: a. Promotion, Prevention, and Tier 1 Universal Strategies b. Data Based Social Emotional Behavioral Tier 1 supports, systems, and interventions c. Support a school culture of safety, acceptance, and positivity for all staff and students
<b>Works in Conjunction With</b>	<a href="#">I.T. Student Support Team</a> , <a href="#">School Leadership Team</a> *AP sits on all teams to pull the collected and shared vision for this interdependent work*

Objective: Implementation of the Code of Conduct Character & Support: Promotion, Prevention, and Tier 1 Universal Strategies

Task	Documentation/Resources
Make presentations as a team to parents/caregivers/ larger school communities.	
Deliver or support professional learning to colleagues on a monthly basis through common planning/staff meeting/grade level meetings that relate to promotion, prevention, and the Universal Tier 1 Strategies:	<a href="#">Universal Tier 1 Practices</a>
The following groups will be taking the lead through a train the trainer the model: <ul style="list-style-type: none"><li>SEB Coaches/Academic Coaches/Support Staff- Elementary</li><li>Support Staff/Teacher Leaders-Middle School</li></ul>	
Offer perspective on, and contribute thoughts and ideas to troubleshoot issues that surface with regard to Promotion, Prevention, and Tier 1 Universal Strategies.	
Determine data set that relates to promotion, prevention, and Tier 1 Universal Strategies and analyze data for implementation fidelity.	Example Data Sets: Surveys Walk Through Data SIMS/X2

Objective: Implementation of the Code of Conduct Character and Support: Social Emotional Behavioral Tier 1 supports, systems, and interventions

Task	Documentation/ Resources
Deliver or support professional learning to colleagues on a monthly basis through common planning/staff meeting/grade level meetings that relate to Tier 1 systems, supports, and	Example Tier 1 Systems, Supports, and Interventions:

## Discipline and Student Support

→ Determining Discipline Responses

Levels of Consequence & Intervention

Behavior Violations and Consequence Matrix

Guide to Restorative Intervention

# Changing the Way We Label Behavior

---

## Understanding Student Behavior

**Unskillful:** There is a skill gap. The student doesn't know how or when to use a desired target behavior. Example: non-participation in learning activities or experiences

**Inappropriate:** The unwanted behavior does not match the context of the situation (wrong time, wrong place). Example: talking with a student(s) during whole group instruction

**Unacceptable:** The student has "crossed the line," violating another's dignity or jeopardizing the safety and well-being of the group. Example: hate speech, a bias-related incident, or bullying

# Changing the Way We Label Behavior

Discipline and Student Support

→ Determining Discipline Responses

Levels of Consequence & Intervention

Behavior Violations and Consequence Matrix

Guide to Restorative Intervention



Punishment	Do Nothing	Accountable and Restorative Discipline
Punishment is an end itself. The intention is to inflict sufficient discomfort, unpleasantness, or an undesired consequence in order to stop unskillful behavior	Do Nothing us about avoidance to engage students- out of fear of confrontation or of being disliked; uneasiness about one's authority; disinterest in helping students change behavior; belief that nothing will work; or concerns that a strategic response will take too much time and energy	Restorative and Accountable Discipline is a learning opportunity in which the student accounts for their behavior and takes some action to problem solve, self-correct, right ones, repair the harm done, learn more skillful behavior, and develop great personal efficacy



## Discipline and Student Support

→ Determining Discipline Responses

Levels of Consequence & Intervention

Behavior Violations and Consequence Matrix

Guide to Restorative Intervention

# Changing the Way We Respond to Behavior

---

## Accountable Consequences and Restorative Interventions

An **accountable consequence** is a disciplinary response that is a direct result of a student's unskillful, inappropriate, or unacceptable behavior. It signals that adults are concerned about the student's behavior and alerts the student that they are accountable for their actions.

A **restorative intervention** is a response that engages a student in a learning process that empowers them to:

1. repair relationships and the harm they have done to others
2. restore their good standing in the community
3. learn skills and target behaviors to improve their self-awareness, self-management, and social and academic efficacy

## Discipline & Student Support

→ Determining Discipline Responses

Levels of Consequence & Intervention

Behavior Violations and Consequence Matrix

Guide to Restorative Intervention

# 5 Levels of Behavior

Level	Behavior Violation
Level 1	<b>Minor</b> classroom and minor public space behavioral incidents
Level 2	<b>Persistent, low-impact</b> classroom behavior violations, more serious public space violations, and non-violent personal misconduct
Level 3	<b>More serious</b> behavior violations as determined by their severity and frequency
Level 4	Repetitive or <b>high- impact</b> behavior violations that involve verbal and physical violence or self-harm and violations that have a destructive or disruptive impact on the school community
Level 5	Behaviors that present the most serious level of <b>threat and harm</b> to individuals and the school community

# Discipline and Student Support

## Determining Discipline Responses

(considerations for certain groups)

- Levels of Consequence & Intervention
- Behavior Violations and Consequence Matrix

## Guide to Restorative Intervention

# Determining the Behavior Violation

Behavior Violation	SWIS Problem Behavior Category	Level 1	Level 2	Level 3	Level 4	Level 5	Notes
<b>AGGRESSION – Physical Contact / Aggression Directed Toward Adults</b>							
Accidental physical contact	No SWIS documentation for Level 1	X					Accidental contact with no verbal or physical threats or gesturing.  *Pre-K-3 *4-5
Low level physical aggression	Physical Aggression		X	X			Anger or frustration that presents itself through hitting or grabbing  *Pre-K-3 *4-5
High level physical aggression	Physical Aggression				X	X	Targeted and intentional spitting, hitting, biting, throwing items at people, hair pulling, choking, kicking, shoving, punching, scratching.  *Pre-K-3 *4-5

# Discipline and Student Support

Determining Discipline Responses

Levels of Consequence & Intervention

Behavior Violations and Consequence Matrix

→ Guide to Restorative Intervention

# Determine Consequence & Intervention

<b>MAJOR LEVEL 4:</b> Repetitive or high- impact violations that involve verbal and physical violence or self-harm and violations that have a destructive or disruptive impact on the school community	
Documentation	Prevention Strategies & Interventi
Level 4 major behaviors are required to be entered into SWIS.  Enter the Problem Behavior and use Custom Fields to enter the code-aligned behavior violation (where applicable as noted in matrix)	<b>Re-teach 5 District School Rules</b> <b>For longer term interventions, consider using the Tier 2 and T3 Solution Seeking processes when possible.</b> <b>Level 3 Prevention Strategies and Interventions plus</b>  A. Referral for a Substance-Use Assessr
Consequences	
<b>Students are removed from the classroom.</b>  Administrators /designee meet with a student in a location appropriate for de-escalation and conferencing.  <b>Assigned Consequences include some or all of:</b>	
Description	SWIS Code <small>Completed by Administrator</small>
Student Meeting with an Administrator	Conference with Student
Parent/Caregiver Notification <small>(completed by administrator)</small>	Parent Contact
Logical Consequences: <small>(You break it you fix it/ loss of privilege)</small>	Loss of Privilege
Structured Lunch <small>(elementary, secondary)</small>	Time in Office
Administrative After-School Detention <small>(secondary)</small>	Time Out/Detention
Principal Hearing	
OSS - 2 to 4 days	Out of School Suspension

# Discipline and Student Support

Determining Discipline Responses

Levels of Consequence & Intervention

Behavior Violations and Consequence Matrix

→ Guide to Restorative Intervention

# Determine Consequence & Intervention

<b>MAJOR LEVEL 2:</b> Persistent low-impact classroom behavior violations, more serious public space violations, and non-violent personal misconduct	
Documentation	Prevention Strategies & Interventions
Level 2 major behaviors are required to be entered into SWIS.  Enter the Problem Behavior and use Custom Fields to enter the code-aligned behavior violation (where applicable, as noted in matrix)	<b>Re-teach 5 District School Rules</b> <b>For longer term interventions, consider using the Tier 2 and T3 Solution Seeking processes when possible.</b> <b>Level 1 Prevention Strategies and Interventions plus</b>
Consequences	
<b>Students are not immediately removed from the classroom.</b>  Administrators / designee meet with a student inside the classroom / at a scheduled time.  <b>Assigned Consequences include some or all of:</b>	A. Problem-solving circles B. Academic problem-solving and planning conference C. Academic Intervention D. Behavior problem-solving and planning conference E. Check-In /Check-Out (CICO) F. Apology or restitution G. Restorative conversations H. Restorative group conference for high-impact incidents. I. Student-student mediation J. Student-teacher mediation K. Skill Groups L. Affinity Groups M. Mentoring (elementary purple block) N. Check and Connect O. Parent/caregiver conference P. Review of current IEP/504 plan Q. Consult with support team and/or coaches
SWIS Code	
Description	Completed by Administrator
Student Meeting with an Administrator	Conference with Student
Parent/Caregiver Notification (completed by teacher)	Parent Contact
Logical Consequences: (You break it you fix it / loss of privilege)	Loss of Privilege
Structured Lunch (elementary, secondary)	Time in Office
Teacher After-School Detention (secondary)	Time Out/Detention
Administrative After-School Detention (secondary)	Time Out/Detention

# Discipline and Student Support

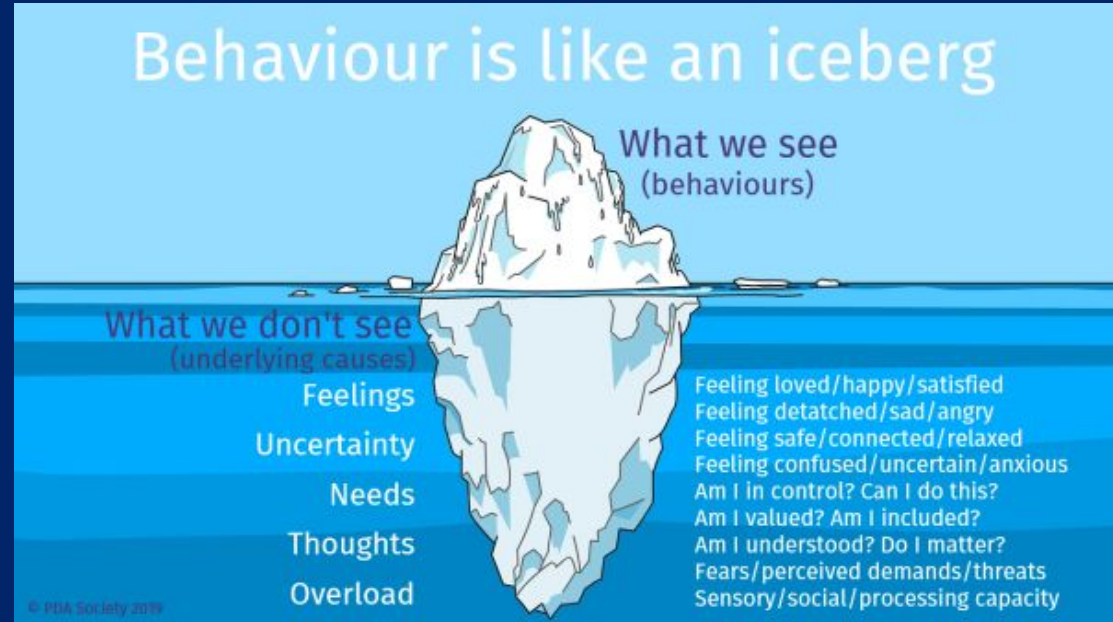
## Levels 3-5

Determining Discipline Responses

Levels of Consequence & Intervention

Behavior Violations and Consequence Matrix

→ Guide to Restorative Intervention



# Discipline and Student Support

Determining Discipline Responses

Levels of Consequence & Intervention

Behavior Violations and Consequence Matrix

→ Guide to Restorative Intervention

# Determine Consequence & Intervention

*\*This is a live document. Scan the QR code for the digital version in order to access updated documents.*



## Intervention Menu

Social Emotional and Behavior Tier 2 & 3 Interventions

### Associated documents:

				
<a href="#">MTSS SEB Handbook</a>	<a href="#">Learning and Life Competencies (Port. Spa)</a>	<a href="#">Attendance Handbook/Interventions</a>	<a href="#">Assessment of Lagging Skills</a> (*Use as needed to determine intervention)	Scan QR code to access protocol updates



# Student Discipline in a Changing Landscape





## Definition of Assault:

Using force or violence to injure a person, causing serious bodily harm. May include the use of weapons.



## Definition of Serious Bodily Injury:

A student who inflicts serious bodily injury onto another person at school or at a school related event. The injury must cause **extreme physical pain** (more than some pain/discomfort) and generally **require immediate and continued medical attention (e.g. impair person's function for some sustained amount of time)**.

## Legal Advisory:

Hearing Officers have found a broken nose, swollen knee and migraine did not meet this standard and were not serious bodily injuries.

# Changes to Student Discipline Laws



Massachusetts Legislature passes amendment to General Law c.71, §37H3/4, through section 29 of *An Act of Addressing Barriers to Care for Mental Health*.

**Significance: Adds requirement that, before any suspension takes place, school officials examine alternative disciplinary approaches. At the same time, school officials must provide evidence via written documentation for any disciplinary decisions.**

# Changes to Student Discipline Laws



## Prior to November 8, 2022 Versus Today:

*(b) Any principal, headmaster, superintendent or person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall ~~exercise discretion~~; consider ways to re-engage the student in the learning process; and ~~avoid using expulsion as a consequence until other remedies and consequences~~ **shall not suspend or expel a student until alternative remedies have been employed and their use and results documented, following and in direct response to a specific incident or incidents, unless specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, and in cases where the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school. Alternative remedies may include, but shall not be limited to: (i) mediation; (ii) conflict resolution; (iii) restorative justice; and (iv) collaborative problem solving. The principal, headmaster, superintendent or person acting as a decision-maker shall also implement school- or district-wide models to re-engage students in the learning process which shall include but not be limited to: (i) positive behavioral interventions and supports models and (ii) trauma sensitive learning models; provided, however, that school- or district-wide models shall not be considered a direct response to a specific incident.***



## Why the Change?

As has been documented in numerous studies, suspensions of students leads to many negative effects on student learning outcomes. These include:

- Increased likelihood of arrest later
- Strong indicator of failure to progress to higher grade level
- Decreased likelihood of receiving credit for Mathematics or English courses
- Decreased likelihood of on-time graduation
- negative impact on future behavior

Other important factors:

- The rates for Black students and other students of color are significantly higher than those of white students.
- Suspension rate for students with disabilities was more than 1.8 times the rate of all students, and low-income students were suspended at nearly 1.6 times the rate of all students



## Language matters

The terms assault and serious bodily injury not only have legal implications, but also in the determination application of consequences and interventions, compliance with new discipline laws, and has direct impact on student outcomes which have driven these legal changes (school to prison pipeline)

# Changes to Student Discipline Laws



## What does this mean in practice?

The principal, head of school, superintendent, or person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student:

- shall consider ways to re-engage the student in the learning process; and
- shall not suspend the student until alternative remedies have been employed and their use and results documented, following and in direct response to a specific incident or incidents, unless:
  - specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, or
  - in cases where the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school.

(Serious Bodily Injury/Harm = Imminent risk of death, disabling injury, or injury causing severe function impairing pain, and requiring outside medical attention)



What types of discipline does this apply to?

*G.L. c. 71, §37H<sup>3/4</sup> applies to suspensions of public school students who are **not** charged with a violation of G.L. c. 71, §37H (a) or (b) (possession of a dangerous weapon or a controlled substance, or assault on a member of the educational staff) or with a felony or felony delinquency under G.L. c. 71, §37H<sup>1/2</sup>. Section 37H<sup>3/4</sup> applies to other activity that could lead to suspension, such as bullying, harassment, or not following the school's code of student conduct.*



# Changes to Student Discipline Laws



In what situations are schools not required to provide alternative approaches beyond suspension?

- a. *Specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, or*
- b. *In cases where the student's continued presence in school would pose a specific documentable concern about serious bodily injury or other serious harm upon another person while in school.*

Students can also be removed from the school in an emergency under 603 CMR 53.07 and G.L. c. 71, §37H¾ so long as the student represents a risk to others, the school, or would greatly impact the school by continuing to be present. This holds only if the principal determines that no alternative exists to minimize the danger or impact on the school.



## What happens once a student is accused of a serious offense?

**Written Notice of a Hearing:** Students must receive written notice of a hearing with the principal or headmaster and have the opportunity to participate in the hearing before the student is suspended. A school cannot use an emergency removal for a serious offense.

**Hearing Rights:** At the hearing, the student may bring an attorney (at family's expense), provide evidence, bring in witnesses and cross examine the school's witnesses.

**Written Decision:** The student should receive a written decision from the school about the outcome of the hearing. This will tell the student how long he or she is not allowed to come to school.

This also must include the educational service options available to the student during the suspension/expulsion and who the parent should contact to start the services. The written notice, decision and hearing must be communicated in the parent/guardian's primary language.

# Changes to Student Discipline Laws



**Emergency Removal** – Max 2 Days at a time: A school can remove a student for up to two school days for non-serious offenses, if the principal decides:

1. that the “student poses a danger to persons or property”, or “materially and substantially disrupts the order of the school,” and,
2. there is no alternative available to alleviate the danger or disruption.

The school must communicate with the parent as soon as possible about the emergency removal (i.e. why the student is being removed and make sure the student can get home safely). The school must also provide the family with the opportunity for a hearing before the end of the two-day emergency removal period. The principal must decide (and communicate to the parent) whether the student will continue to be suspended by the end of the two-day period. A written decision must be issued the following day. The student rights during this hearing depend on whether the school is considering an in-school suspension, short-term suspension (less than 10 days) or a long-term suspension (more than 10 days) for the student conduct.

# Changes to Student Discipline Laws



## **Manifestation Determination Review**

What is manifestation determination review?

A manifestation determination review (sometimes called a “manifestation meeting” or an “MDR”) is an IEP Team meeting, where the IEP Team decides whether a student’s conduct (disciplinary offense) is directly and substantially related to the student’s disability.

## **When must a school hold a manifestation determination review?**

A school must hold a manifestation determination when a suspension or removal is a change in placement. A change of placement occurs if a student has been excluded from his or her IEP placement for more than 10 days, or there has been a pattern of removals for more than 10 days in a school year.

**More than 10 Days in a Row:** A student is removed from his or her IEP placement (e.g. suspension, expulsion) for more than 10 school days. The school must hold a manifestation meeting prior to suspending a student from school for an 11th day in a row.



## Manifestation Determination Review

**Bus Suspensions** – If a school district provides a student on an IEP with transportation and suspends the student from the bus or van without providing alternative transportation, these days count as suspensions. So, if a student has been suspended from a bus for more than 10 days in a row (or through a pattern of removals) without alternative transportation, the school must hold a MDR.

**Student Being Evaluated for an IEP or Suspected to Have a Disability** – If a student is in the process of being evaluated for special education eligibility, but does not yet have an IEP, the school district must hold an MDR for a pattern of removals or more than 10 days in a row of suspension. However, if an IEP Team has determined a student is not eligible for special education services before the disciplinary offense, the student is not entitled to an MDR.



## Manifestation Determination Review

The IEP Team must use this relevant information to answer the following questions:

1. Was the student's conduct caused by, or have a direct and substantial relationship to the student's disability?
2. Was the student's conduct a direct result of the school's failure to implement the IEP? If the IEP Team answers "yes" to either question, then the conduct is considered a manifestation of the student's disability.

If the IEP Team answers "no" to both questions, then the student's conduct is not a manifestation of his or her disability.

# Changes to Student Discipline Laws



## What happens if an IEP Team finds that a student's conduct is related to his or her disability?

For most offenses, a student **cannot** be suspended or removed any further for conduct that is related to his or her disability.

There is an exception for drugs, weapons and serious bodily injury (see below), but for most offenses, the student must be immediately returned to his or her IEP program and placement.

The school district also must conduct a Functional Behavioral Assessment (FBA) and develop a Behavior Intervention Plan (BIP). If the student already has a BIP, then the IEP Team must revise the BIP to better meet the student's needs.

Exceptions – Weapons, Drugs(Serious Offenses Such As Distribution) and Serious Bodily Injury

# Changes to Student Discipline Laws



**What happens if an IEP Team finds that a student's conduct is not related to his or her disability?**

The school district can suspend or expel the student under the rules for all students, in accordance with updated suspension law.

The student does not have a right to return to his or her IEP placement, but the student is still entitled to FAPE during removal (i.e. opportunity to make progress in the general education curriculum and toward his or her IEP goals).





# Fuller Middle School- An Example of the Code Lived

# Suspension Rates over the Past 3 years



Suspensions SY2021-22	
Grade 6	49
Grade 7	75
Grade 8	81
<b>Total</b>	<b>205</b>

Suspensions SY2022-23	
Grade 6	18
Grade 7	30
Grade 8	39
<b>Total</b>	<b>87 (Down by 58%)</b>

Suspensions SY2023-24 (as of 10/23/23)	
Grade 6	1
Grade 7	0
Grade 8	0
<b>Total</b>	<b>1</b>

# Structures Put in Place - SEL Tier 1/Intervention



- Tier 1 and Interventions
  - SY2022-23
    - Tier 1 SEL Curriculum
    - Tier 1 Data and Goal Setting
    - Tier 2 SEL Small Groups
    - Student Support Teacher who oversaw and facilitated: ISS and After School Remediation, Structured Lunches, and Restoration
    - iDecide
    - Academic Advisory
  - SY2023-24
    - Tier 1 Circles in Academic Advisory
    - Tier 3 SEL Small Groups (Ripple Effects Curriculum)
    - Tier 2 SEL Small Groups
    - Student Support Teacher - Proactive meetings for students with referrals in order to support building life competency skills, ISS, Restorative meetings: Student:Student and Student:Teacher
    - Affinity Groups for Students
    - 20 Points of Connection at the beginning of the year
    - Community Day and Community Meetings

# Culture + Support = Improved Behavior and Outcomes



- The Administrative Team's as models
- Model the behaviors you want to see
- Build trust with the adults; they need to trust the decisions you are making
- Be consistent: this builds trust in adults and students
- Disrupt when adults are exhibiting a deficit mindset
- Be proactive when working with students
- Families are partners in our work - be honest and open
- Encourage and facilitate restorative conversations with students and adults

# What it looks like Now



- It is not perfect; not all adults are completely on board, but more adults are now “buying in” to the changes we have made
- Adults have been open to restorative conversations and have shared these positive experiences with their colleagues.
- In general, students are exhibiting more skilled behaviors in school.
- Circles have become a routine practice in the school
- The number of referrals regarding physical aggression, verbal aggression, and cutting of class have been dramatically reduced over the past three years

**C**ARING

**I**NCLUDE EVERYONE

**R**ESPECT OTHERS DIGNITY

**C**OMMUNICATION

**L**ISTEN TO OTHERS

**E**VERYONE PARTICIPATES

**S**IT IN A CIRCLE

**C**OMMUNICATION

**I**NTERACTION

**R**ESPECT

**C**OMFORTABLE

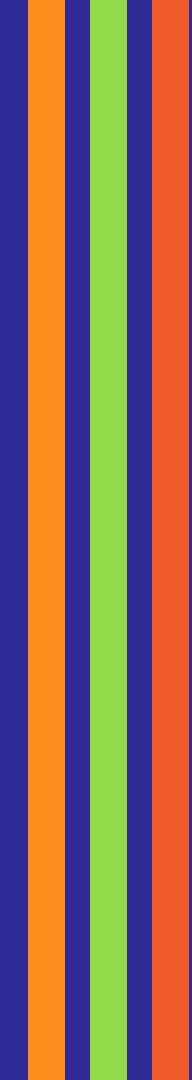
**L**OVE

**E**VERYONE PARTICIPATES

**S**PECIAL







Creating positive school culture is a collective activity. It cannot be dictated from above or enforced through laws and policy. It is the result of thousands of gestures, words, smiles, acts of kindness, consideration, and care. These gestures, small and larger, arise from countless individual decisions made every second of every day. If the goal is a positive school climate that supports the well-being and belonging for all students, then adults must create and experience this kind of climate as well.