

## FRANKLIN HIGH SCHOOL CODE OF CONDUCT

Respect is at the heart of Franklin High School, respect for yourself, respect for the staff, and respect for your school. Every student has -a right to -an education which is free of duress, and every teacher has a right to expect respectful, prepared students in his/her classroom. The administration will treat all students consistently and equitably, and will respect the rights of all students to an education in a safe and healthy environment. Accordingly, the following rules and regulations will be administered fairly and consistently to all students:

The Code of Conduct at Franklin High School is administered within the guidelines set forth by the Educational Reform Law of 1993 and the United States Supreme Court with regard to due process for students.

Franklin Public Schools have entered into a "Memorandum of Understanding" with the Police Department and the District Attorney. It deals with actions in school and on school grounds that violate laws. The memorandum is included at the end of this handbook.

**Teachers will** handle discipline violations which occur in their respective classrooms. Teachers may:

1. Assign detentions.
2. Notify parents/parental conferences.
3. Implement consequences consistent with the infraction.
4. Refer students to the Assistant Principal if the situation so warrants.

**The Administration will** assign at his/her discretion any of (but not limited to ) the following consequences consistent with the code of conduct:

1. One or more detentions
2. Parental conferences
3. Loss of Library and/or computer center privileges
4. School service
5. Temporary or permanent removal .from an academic class
6. Loss of attendance privileges at school functions including but not limited to dances, athletic events, socials. This includes loss of attendance privileges at away sites as well as home sites.
7. Loss of use of automobile on school grounds
8. Mandatory parental visit to school or function to remove a student
9. Assignment to the Alternative Discipline Program (ADP)
10. Saturday Detention
11. Out-of-School Suspension
12. Notification of proper authorities such as the Franklin Police and/or Fire departments
13. Restitution for damaged or stolen property

14. Referral to the Principal for possible exclusion/expulsion

1 of 10  
File: JIC-E

## **CLASSIFICATION & CONSEQUENCES**

### **DETENTION:**

Minor Detention: This intervention replaces what was called "teacher detention" in earlier student-parent handbooks. Minor detention emphasizes the discretion and prerogative of the teacher in addressing student misbehavior. Minor detention can be given for action such as:

1. Tardiness
2. Unpreparedness ( e.g., not having the necessary books for class )
3. Minor inappropriate behavior in either the classroom or the hallway
4. Refusal to comply with a teacher's, or other FHS staff member's request
5. Having food or beverage in the classroom or hallway

Minor detention can be viewed as a "teaching moment" and/or a punishment -- its specific character is determined by the teacher involved. It is to be served in the teacher's room and will be approximately 15-30 minutes in duration. Should a student not come to minor detention, the teacher will initiate a For Your Information (FYI) contact with the parent. This contact will ideally take the form of a brief phone conversation. However, if the parent proves unavailable, a message will be left on the home answering machine or a FYI notification will be sent home. In each of these two latter situations, when teacher-to-parent information is conveyed indirectly, a parental acknowledgment is expected. The teacher can assign a major detention for the cutting of a minor detention or pursue the matter in a more private way.

Major Detention: This intervention most closely approximates what was called "office detention" in earlier student-parent handbooks. This intervention reflects an elevated concern for misbehavior and involves a more serious consequence: A major detention can be directly assigned by any member of the faculty or administration. A classroom teacher can assign a major detention for such action as:

1. Persistence of minor classroom infractions or disruptive behavior
2. Drug talk
3. Any behavior that interferes with the learning process

Major detention can also be assigned for:

1. Unexcused tardiness to school

2. Cutting a minor detention
3. Failure to provide a written excuse for an absence
4. Loitering in the halls during class time
5. Using a locker to which he/she has not been assigned
6. Violation of cafeteria regulations
7. Repeated tardiness to school
8. Automobile parking violation
9. Running or roughhousing in the halls
10. Inappropriate behavior
11. Eating or drinking in a classroom or hallway

2 of 10  
File: JIC-E

**DETENTION MUST BE SERVED ON THE DAY ASSIGNED.** Students must report to detention prepared to do school work. There will be no food, drink, hats or music in detention. The school administration places the responsibility upon the student not to accumulate detentions if the student has a job, a practice, a game, or an appointment after school. It is the student's responsibility to complete assignments and not to disobey rules or regulations if he/she does not want to remain after school.

Major detention will occur immediately after school Monday through Friday. While jobs and involvement in sports and other school based activities are judged to be very important, the serving of detention takes precedence with few exceptions. **A STUDENT WILL NOT BE ALLOWED TO PARTICIPATE IN ANY AFTER SCHOOL ACTIVITY INCLUDING ATHLETICS -- UNTIL THE DETENTION IS SERVED.** The classroom teacher who assigns a major detention is responsible for: (1) filling out the student report and getting it to the B-House secretary, and (2) notifying the student that he/she is to report to the cafeteria immediately after school that day. The teacher is not responsible for coordinating detentions ( e.g., when a student is given multiple detentions for the same day) or dealing with a student's scheduling conflicts ( e.g., a dental appointment occurring during an assigned major detention time).

The running of the major detention is coordinated through B-House and will usually be in the cafeteria. The teacher monitoring the detention is provided a printout of all students assigned that day and is responsible for: (1) logging in the students, (2) overseeing detention until its 3:00 PM ending time, and (3) returning the attendance record for the detention to B House. The monitoring teacher is not responsible for negotiating any type of deal, bargain, or adjustment with a student around the issue of concurrent detentions or scheduling conflicts. The teacher's stance is simple -- "stay or go but if you go, you must bring a written note (from a parent or guardian) explaining the situation to an Assistant Principal tomorrow morning." If the student must leave, the detention will still be served at the next possible date. B House will be responsible for the tracking of major detention attendance and instances of "cutting." B House personnel will assume responsibility of reminding students who had multiple detentions assigned on the same day of their remaining obligations and will initiate and carry out the consequence for cutting a major detention. **Cutting a major detention will automatically result in the assignment of**

**an A.D.P. and involve the student's parents in the problem solving process. If the need for an alternative detention time should arise, B House will assume responsibility.**

### **Alternative Discipline Program (A.D.P.)**

This component of the discipline model remains largely the same as described in earlier student-parent handbooks. The most important clarification is that the cutting of a major detention automatically results in an A.D.P. referral. Additionally, a student can be assigned ADP for such action as aggressive swearing, threats, drug talk, vandalism in the classroom, or for the following infractions.

Increased emphasis is put on involvement by both the principal and the student's parent(s) should more serious inappropriateness persist. As in case of major detention, **A STUDENT WILL NOT BE ALLOWED TO PARTICIPATE IN ANY AFTER SCHOOL ACTIVITY INCLUDING ATHLETICS -- UNTIL THE ADP IS SERVED.** Finally, any ADP activity will now involve a teacher update component so that all parties are fully informed.

3 of 10  
File: JIC-E

The Administration may assign, but are not limited to, A.D.P., Saturday Detention or Suspension for the following infractions:

1. Use, and/or under the influence, possession, transfer or sale of a controlled substance and/or alcohol before, during, or after school, or any school sanctioned activity, including away sites.
2. Fighting in school (The school administration shall have the latitude to determine who is at fault and the effect the incident has on the safety of the school community due to the severity and location of the fight. The consequence will be administered accordingly. )
3. Unauthorized use of fire extinguishers.
4. Possession of incendiary devices.
5. False alarms.
6. Violence or threats to another person,, treating another person in such a way as to deprive the student of his/her education.
7. Harassment as defined in the student handbook.
8. Hazing as defined by Massachusetts General Laws, Chapter 269, and Section 17.
9. Theft.
10. Extortion.
11. Gambling.
12. Defacing or malicious destruction of school property.
13. Using lewd, vile, or vulgar language or gestures spoken, written, or printed on articles of clothing.
14. Refusing to comply with a reasonable request of a staff member.

15. Refusing to identify one's self to a staff member.
16. Disrespect to any school personnel and authorized visitors.
17. Insubordination.
18. Use of forbidden articles.
19. Smoking and/or use of chewing tobacco in school, on school ground, or at all school activities. Also, a \$100.00 fine will be issued.
20. Forgery.
21. Truancy.
22. Class cutting.
23. Cutting office detention.
24. Missing homeroom and not reporting to the appropriate house office upon arriving to school.
25. Leaving the school building without permission.
26. Being in an unauthorized area of the school building.
27. Being in school or on school grounds after being dismissed.
28. Trespassing on school property.
29. Repeated automobile violations.
30. Possession of drug paraphernalia.
31. Display of pornographic material.
32. And, any offense which the school administration deems serious.

4 of 10  
File: JIC-E

### **ALTERNATIVE DISCIPLINE PROGRAM:**

The Alternative Discipline Program (A.D.P. ) is a two and one half hour detention assigned to students for certain misbehaviors. A.D.P. meets on Tuesday and Thursday afternoons from 2:10-4:40 p.m. The following rules apply:

1. Students will be expected to read and/or write throughout the entire A.D.P. session. Students must bring books, etc., to A.D.P.
2. Students must arrive to A.D.P. with all materials, clothing, etc. they will be bringing home, *as they will leave the building and not be allowed to go to their lockers at the end of A.D.P.*
3. Students who arrive tardy to A.D.P. will be assigned office detention.
4. Talking, sleeping, eating, etc. are not allowed during A.D.P.

5. Transportation will *not* be provided for students at the end of A.D.P. Students must arrange for their own transportation home *prior* to the day they are scheduled for A.D.P.
6. Students who do not attend A.D.P., or who are removed from A.D.P. as the result of inappropriate behavior:
  - a. WILL REPORT TO B HOUSE OFFICE BEFORE FIRST PERIOD ON THE FOLLOWING SCHOOL DAY.
  - b. will not be allowed to return to their classes prior to the completion of a conference with the Assistant Principal.
  - c. will be assigned Saturday detention or out of school suspension. Repeated cutting of A.D.P. will result in long term suspension.
  - d. will be assigned to the next A.D.P. session.
7. Students can only carry three A.D.P.'s at a time. Additional A.D.P.'s will result in an out of school suspension.

## **SUSPENSIONS:**

### Technical Suspension:

The technical suspension is a formal warning. A parent conference by phone will be acceptable for a technical suspension. Written documentation of the incident will be forwarded to the student's parents and a copy will be placed in the student's file.

### Academic Suspension:

A student may be removed from a classroom for a designated period of time for continuous or serious misconduct in a classroom which interferes with the educational process of other students.

5 of 10

File: JIC-E

Written documentation of the incident will be kept on file; parents will be notified. If the situation does not improve to the acceptable classroom standards set by the teacher when the student returns to the classroom, the student will be removed from the class permanently with complete loss of credit in the course.

### Out-of-School Suspension:

A drug related offense or an offense determined by the Assistant Principal or Principal to be of serious nature may result in an Out-of-School Suspension, the length of which will be determined by the Assistant Principal or Principal.

Following an Out-of-School Suspension. Students will be allowed on half the total time suspended in order to make up any and all school work (including

quizzes and tests). Out-of-School Suspension days are documented absences in all classes and work will be recorded as a zero unless the student supplies the required finished work to the teacher in the time allotted.

**A parent conference with the Assistant Principal is required before students who are suspended are allowed to return to school. This conference cannot be completed over the phone. Students- suspended for five days or more must meet with the Principal before being readmitted to school.**

**EXCLUSION/EXPULSION:**

The exclusion or expulsion of a student from school will be in accordance with Massachusetts General Laws, Chapter 71, Section 37H. The grounds for exclusion or expulsion include but are not limited to the following:

- a. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun, a knife, or their facsimile, or anything used in the commission of assault and battery; or a controlled substance as defined in Chapter 94 C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
- b. Any student who assaults a Principal, Assistant Principal, teacher, teacher's aide, or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the Principal.
- c. Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at a hearing before the Principal.

After said hearing, a Principal may, in his/his discretion, decide to suspend rather than expel a student who has been determined by the Principal to have violated either paragraph (a) or (b).

6 of 10  
File: JIC-E

- d. Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the Superintendent of his/her appeal. The student has the right to counsel at a hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

- e. When a student is expelled under the provisions of this section and applies for admission to another school for acceptance, the Superintendent of the sending school shall notify the Superintendent of the receiving school of the reasons for the pupil's expulsion.
- f. A student who is found to have assaulted another student is subject to suspension by the administration and expulsion by the School Committee:

### **ASSIGNMENT OF DISCIPLINARY CONSEQUENCES**

Parents or guidance will be informed by letter or telephone of all major infractions of school rules and procedures which may result in suspension or other serious disciplinary action. Parents, if at all possible, will be called on all out-of-school suspensions or expulsions.

### **SCHOOL SAFETY ACT (Chapter 380)**

When a student is expelled under the provisions of this section, no school or school district within the commonwealth shall be required to admit such student or to provide educational services to said student. If said student does apply for admission to another school or school district, the Superintendent of the school district to which the application is made may request and shall receive from the Superintendent of the school expelling said student a written statement of the reasons for said expulsion.

Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the Principal of a school in which the student is enrolled may suspend such student for a period of time determined appropriately by said Principal if the Principal determines that the student's presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided however, that such suspension shall remain in effect prior to any appeal hearing conducted by the Superintendent.

The student shall have the right to appeal to the Superintendent. The student shall notify the Superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his/her behalf, and shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the Principal, including recommending an alternate educational program for the student. The

Superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the suspension.

Upon a student being convicted of a felony or upon the adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the Principal of a school in which the student is enrolled may expel said student if such Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent.

The student shall have the right to appeal the expulsion to the Superintendent. The student shall notify the Superintendent in writing of his/her request for an appeal no later than five calendar days following the effective date of expulsion. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the Principal, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

Upon a student being convicted of a felony or upon an adjudication in court of guilt with respect to such a felony or felony delinquency, the Principal of a school in which the student is enrolled may expel said student if such Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The students shall also receive written notification of his/her right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent.

The student shall have the right to appeal the expulsion to the Superintendent. The student shall notify the Superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the expulsion. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The Superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decisions shall be the final decision of the city, town or regional school district with regard to the suspension.

Upon expulsion of such student, no school or school district shall be required to provide educational services to such student.

8 of 10

File: JIC-E

## **FELONY COMPLAINT OR CONVICTION**

Notwithstanding the provisions of section eighty-four and section sixteen and seventeen of chapter seventy-six:

1. Upon the issuance of a criminal complaint charging a student with a felony or upon the issue of a felony delinquency complaint against a student, the Principal or Headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said Principal or Headmaster if said Principal or Headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of this right to appeal and the reasons for such suspension taking effect. The student shall also receive written notification of this right to appeal and the process for appealing such suspension; provided however, that such suspension shall remain in effect prior to any appeal hearing conducted by the Superintendent.

The student shall have the right to appeal the suspension to the Superintendent. The student shall notify the Superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the Principal or Headmaster, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the suspension.

2. Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such felony or felony delinquency, the Principal or Headmaster of a school in which the student is enrolled may expel said student if such Principal or Headmaster determines that the student's continued presence in school would have a detrimental effect of the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his/her right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent.

The student shall have the right to appeal the expulsion to the Superintendent. The student shall notify the Superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the Principal or Headmaster, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the expulsion.

9 of 10  
File: JIC-E

Upon expulsion of such student, no school or school district shall be required to provide educational services to the student. Added by St. 1993, c.380, s.2.

#### **DUE PROCESS RIGHTS AND PROCEDURE**

1. In cases of suspensions for ten days or less, the student has the following rights:
  - a. the right to oral or written notice of charges against him/her.
  - b. the right to an explanation of the evidence which the school authorities have against him/her.
  - c. the opportunity to present his/her side of the story.
2. For suspensions longer than ten days, more formal procedures could be required. Those procedures may include:
  - a. the right to cross-examine witnesses against the student.
  - b. time to prepare for a hearing.
  - c. the right to present witnesses and testimony.
  - d. the right to counsel.
3. These more formal procedures may be required in some suspensions of less than ten days. Where, for example, the outcome of the case rests mainly on the credibility of the witnesses and the student, the student may have the right to confront his/her accusers. Similarly, if the suspension seriously calls into question the character of the student, then more elaborate procedures may apply.
4. Although the above procedures should normally precede the suspension or expulsion, in emergency situations the student may be summarily removed from the public school, with a hearing to follow as soon as possible.

