

## **RSU #63**

- a. NEPN/NSBA Code:** JK
- b. Title:** Student Discipline
- c. Author:** Superintendent
- d. Replaces Policy:**
- e. Date Approved:** 11/28/2022 RSU #63
- f. Previously Approved:** 11/29/2021
- g. Policy Expiration:** Review as Needed
- h. Responsible for Review:** Superintendent & Policy Committee
- i. Date Reviewed:** 11/07/2022 Superintendent  
11/07/2022 Policy Committee
- j. References:** Legal Reference: 17-A MRSA § 106  
20-A MRSA § 1001 (15A)  
20-A MRSA § 4009  
Maine Chap. 295, LD474  
Maine Chap. 320, LD1431

**Cross Referenced Policies:** AC - Nondiscrimination/Equal Opportunity & Affirmative Action

ACAA - Student Harassment & Sexual Harassment  
EBCA - Comprehensive Emergency Management Plan  
JIC – Student Code of Conduct  
JICIA – Weapons, Violence & School Safety  
JKAA- Use of Physical Restraint & Seclusion  
JKB - Student Detention  
JKD - Suspension of Students  
JKE - Expulsion of Students  
JKF - Disciplinary Removal of Students with Disabilities

### **k. Narrative:**

It is essential for schools to maintain a safe and orderly environment that supports student learning and achievement. Good discipline allows schools to discharge their primary responsibilities to educate students and promote citizenship and ethical behavior. All students are expected to conduct themselves with respect for others and in accordance with RSU #63 Board of Directors (the Board) policies, school rules, and applicable state and federal laws. Disciplinary action may be taken against students who violate policies, rules or laws, and/or whose conduct directly interferes with the operations, discipline, or general welfare of the school(s).

- I.** The Board expects the following principles to guide the development and implementation of school rules and disciplinary procedures.
  - A.** Discipline should emphasize positive reinforcement for appropriate behavior, as well as appropriate consequences for misbehavior. The focus should be on providing a school environment where students are engaged in constructive learning and interactions with others.

- B. Expectations for student behavior should be clear and communicated to school staff, students, and parents.
  - C. Consequences for misbehavior should be in proportion to the offense, fair, and consistently enforced (“Firm, Fair, and Consistent”). Administrators will have the discretion to tailor discipline to the facts and circumstances of the particular case.
  - D. Parents/Guardians should be actively involved in the process of preventing and resolving disciplinary problems at school.
- II. Any restraint or seclusion of students will comply with applicable regulations and Board policy and will **not** be used as disciplinary methods.
- III. Physical force and corporal punishment will not be used as disciplinary methods. However, school personnel may use reasonable force to control the behavior of a student who presents an immediate threat of physical harm to themselves or others, to remove a student from a situation where the student is violent or presents an immediate danger to others, or to prevent damage or destruction of school property. Procedures described in Policy JKAA-R will be the guiding factor.
- IV. Maine law provides that “a teacher or other person entrusted with the care or supervision of a person for special or limited purposes may not be held civilly liable for the use of a reasonable degree of force against the person who creates a disturbance if the teacher or other person reasonably believes it is necessary to a.) control the disturbing behavior; or b.) remove the person from the scene of the disturbance.”
- V. While creating and modeling a positive and safe learning environment, teachers have the authorization to make and enforce rules for effective management to foster appropriate student behavior, subject to the direction and approval by the building principal/designee.
- VI. School-wide rules will be developed by the building principal with appropriate input from school staff, students, and parents/guardians and subject to approval by the Superintendent. Principals will provide for the suspension or other serious disciplinary action against students in accordance with Board policies, administrative procedures, and Maine law.
- VII. Students with disabilities will be disciplined in accordance with applicable federal and state law/regulations.
- A. Out of school suspension is prohibited for any student who is in Grade 5 or lower, unless:
    - 1. The student has violated the federal Gun Free School Zones Act; or
    - 2. The student presents an imminent danger of “serious physical injury” to the student or others.
- In the circumstances above, the law limits the length of an out of school suspension to no more than three (3) school days.

- B.** All students (PK to Grade 5) attending a RSU #63 school cannot be deprived of their recess time as a disciplinary consequence. While the Board encourages students to be physically active, it is recognized that the Holbrook Middle School Principal may, on occasion, use recess as a disciplinary action.

**VIII.** To reduce disciplinary problems and the potential for violence in the schools, the Superintendent may develop procedures for conflict resolution which may be accomplished through peer mediation, counseling, parent/guardian involvement, services of community agencies, or other activities suitable to the school unit. These practices are designed to strengthen relationships, improve the connection to school and promote a strong sense of accountability and that help students learn from their mistakes, understand the impact of their actions on others and find opportunities to repair the harm they have caused through their misbehavior.