



***SCHENECTADY CITY SCHOOL DISTRICT
CODE OF CONDUCT
2017-2018***



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Introduction

The Schenectady City School District is committed to ensuring that each child is healthy, safe, engaged, supported and challenged. For our schools to be safe and supportive environments, everyone within the school community students, staff, parents, and visitors must demonstrate and offer respect. Learning environments that are safe and supportive increase student attendance and improve academic achievement.

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of mutual respect, citizenship, character, tolerance, honesty and integrity. The Board of Education recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. For these reasons, the Board of Education adopts this **Code of Conduct**. School officials are responsible for sharing the information in this document with students, parents/guardians, and staff. The District will make every effort to provide this information through media methods including the District Website.

Copies of an age-appropriate summary of the **Code of Conduct** will be provided to all students at the beginning of each school year. Copies of the **Code of Conduct** will be available to parents at the start of the school year and a summary of the **Code of Conduct** will be provided to all parents as well. All teachers and staff will receive a copy of the **Code of Conduct** after its adoption, and all new employees will receive a copy when first hired.

*There is a 30-day public comment period for the **Code of Conduct** during which staff, students and families can provide comments to the District. This **Code of Conduct** will be shared with the board at the July 19, 2017 Board of Education meeting. Comments should be directed to Andrea Tote, Director of Pupil Personnel Services at 108 Education Drive, Schenectady, NY 12303 or by email at totea@schenectady.k12.ny.us. The public comments on the **Code of Conduct** and the public hearing will be held at the August 23, 2017 Board of Education meeting.*

Parents as Partners

Students, parents and school personnel all have a role in making school safe and must cooperate with one another to achieve this goal. School staff should keep parents informed of their child's behavior and enlist parents as partners in reinforcing positive behavior and addressing areas in need of growth. As role models, parents and school staff should exhibit the behaviors which they would like to see students emulate. To ensure that parents become active and involved partners in promoting a safe and supportive school environment, parents should be familiar with the Schenectady City School District **Code of Conduct**.

Educators are responsible for informing parents about their child's behavior and for nurturing the skills students need to succeed in school and in society. Parents are encouraged to discuss with their child's teacher and other school staff, issues that may affect student behavior and strategies that might be effective in working with the student. It is important that there be ongoing consultation and communication between the school and the home. Parents who want to discuss interventions in response to student behavior should contact their child's school.

Attendance at school is vital to a student's academic progress and success. School personnel will ensure that appropriate outreach, intervention and support are provided for students who exhibit attendance problems that may manifest themselves as truancy or patterns of unexcused absence or educational neglect. In cases of truancy, school personnel must meet with the student and parent to determine an appropriate course of action which may include, but not be limited to: additional support/intervention, referral for counseling, referral to after-school programs, the filing of a Person in Need of Supervision (PINS) Petition in Family Court and/or referral to the Department of Social Services (DSS). Cases of suspected educational neglect must be called into the New York State Central Registry. Please also refer to the District's Comprehensive Student Attendance Policy, No. 7110

Promoting Positive Student Behavior

Each school is expected to promote a positive school climate and culture that provides students with a supportive environment in which to grow both academically and socially. Schools are expected to take a proactive role in nurturing students' pro-social behavior by providing them with a range of positive behavioral supports as well as meaningful opportunities for social-emotional learning. Effective social-emotional learning helps students develop fundamental skills for life effectiveness, including: recognizing and managing emotions; developing care and concern for others; establishing positive relationships; making responsible decisions; and handling challenging situations constructively and ethically. Such skills help prevent negative behaviors and the disciplinary consequences that result when students do not live up to behavioral standards.

Student engagement is also integral to creating a positive school climate and culture that effectively fosters students' academic achievement and social/emotional growth. Providing students with multiple opportunities to participate in a wide range of pro-social activities and, at the same time to develop a bond with caring, supportive adults reduces negative behavior. Examples can include: providing students with meaningful opportunities to share ideas and concerns and participate in school-wide initiatives; student leadership development; periodic recognition of students' achievements in a range of academic and co-curricular areas; using corrective feedback; and developing school-wide positive behavior systems. Such opportunities, coupled with a comprehensive school counseling program of prevention and intervention, provide students with the experiences, strategies, skills and support they need to thrive.

Prevention and Intervention

In the past, school-wide discipline has focused mainly on reacting to specific student misbehavior by implementing punishment-based strategies including reprimands, loss of privileges, office referrals and suspensions. Research has shown that the implementation of punishment, especially when it is used inconsistently, and in the absence of other positive strategies, is ineffective. Introducing, modeling, and reinforcing positive social behavior is an important part of a student's educational experience. Teaching behavioral expectations and rewarding students for following them is a much more effective approach than waiting for misbehavior to occur before responding.

School personnel are responsible for developing and using strategies that promote optimal learning and positive behavior throughout a student's school experience. They are also responsible for addressing behaviors which disrupt learning. Administrators, teachers, school counselors, social workers, psychologists other school staff and parents are expected to engage all students in intervention and prevention strategies that address a student's behavioral issues and discuss these strategies with the student and their parent through the School Based Support Team (SBST). The SBST is a *problem-solving team*. Each school has an SBST Team that supports student's social, emotional and academic needs. The Team can provide increasingly intense interventions for students who are struggling with academics and/or behaviors.

*The SBST is a **problem-solving** team. A referral to the School Based Support Team can be made by a parent or staff or administrator by contacting The School Psychologist.*

Intervention and prevention approaches may include guidance support and services to address personal and family circumstances; social/emotional learning, such as conflict resolution/peer mediation/negotiation, anger management, and/or communication skills acquisition; implementation of behavioral strategies, the use of alternative instructional materials and/or methods; enrichment services; alternate class placement; and/or development or review of Functional Behavior Assessments and Behavior Intervention Plans. By using intervention and prevention strategies that engage students and give them a clear sense of purpose, school staff facilitate students' academic and social-emotional growth and assist them in successfully following school rules and policies. Effective interventions produce measurable changes in behavior and improvements in a student's quality of life (e.g., participation in school activities, improved social relationships, independence and self-sufficiency).

The District has Behavioral Specialists available to help the SBST identify reasons for behaviors, track data on these behaviors and develop an Instructional Support Plan for Behavior (ISP-B) that will help the student replace a negative behavior with a positive one. Behavior specialists provide a variety of student services. They attend SBST meetings to problem-solve student concerns and can assist school staff and families with individual student behavioral planning, especially for students who demonstrate:

- ✦ Academic disengagement/class avoidance
- ✦ Inattention, hyperactivity or impulsivity
- ✦ Depressed or withdrawn behavior
- ✦ Symptoms of anxiety
- ✦ Low frustration tolerance
- ✦ Difficulties controlling thoughts and behaviors
- ✦ Difficulties with planning/organization
- ✦ Disruptive behaviors

Rights and Responsibilities of the School Community

All members of our learning community—including students, educators (including teachers, secretaries, custodians, aides, paraprofessionals, and other school personnel), parents, and engaged service providers—must assume a responsible role in promoting behavior that enhances academic and social success. Courteous, respectful, and responsible behavior fosters a positive climate in the learning community. Those responsibilities include, but are not limited to, the following:



Student Rights and Responsibilities

- ✚ Students learn best when adults serve as active, positive role models.
- ✚ Students learn best when there is unconditional acceptance and tolerance of differences.
- ✚ Students learn best when respect and civility are modeled by all.
- ✚ Students learn best when behavioral expectations are clearly defined and re-enforced.

All students are guaranteed the right to express opinions, support causes, organize and assemble to discuss issues and demonstrate peacefully and responsibly in support of and in accordance with policies and procedures established by the Schenectady City School District Board of Education.

Students have the right to:

- ✚ Organize, promote and participate in student organizations and clubs, as part of the formal education process or as authorized by The Building Principal;
- ✚ Provide representation of appropriate school-wide committees that influence the educational process, as designated by school personnel;
- ✚ Participate and express opinions through the publication of school newspapers and newsletters, with oversight from qualified faculty advisors;
- ✚ Freedom of inquiry and expression, both written and oral, within appropriate limits under law and provided that the rights of others are not diminished.

Students have the responsibility of:

- ✚ Owning and being active participants in their learning and recognize that it is a process.
- ✚ Attending school regularly, arriving on time, and being prepared to learn.
- ✚ Respecting themselves and others in class, on school grounds, on busses, and at any school-related activity.
- ✚ Respecting the rights and feelings of fellow students, parents, educators (including teachers, secretaries, custodians, aides, paraprofessionals, and other school personnel), visitors, and guests.
- ✚ Knowing and complying with school district rules and policies.
- ✚ Participating in learning communities, including helping formulate rules and procedures in the school, engaging in school-related activities, and fostering a culture of respect for learning and for others.

Parents have the responsibility of:

- ✚ Supporting their child(ren)'s development as learners by, as much as possible, providing an environment suited for learning and developing good study habits.
- ✚ Seeing that their child(ren) attend school regularly and on time.
- ✚ Teaching and modeling respect for their child(ren), and all members of the school community.
- ✚ Supporting the school's efforts to provide a safe and orderly learning environment.
- ✚ Advocating for their child(ren) and taking an active role in the school community.
- ✚ Attending their child(ren)'s parent/teacher conferences.
- ✚ Giving updated contact information to SCSD Central Registration and/or their child's school.

Educators have the responsibility of:

- ✚ Fostering and nurturing all students' development as learners, including their academic success and positive social-emotional development, recognizing that children should be subject to behavior management and discipline policies appropriate to their ages and levels of understanding.
- ✚ Modeling and providing a mutually respectful and accountable atmosphere for learning that includes all members of the school community.
- ✚ Cooperating and scheduling conferences with students, parents, and other school personnel in an effort to understand and resolve academic and behavioral concerns. Make every effort to accommodate families whose work schedules, access to transportation, or distance from school limits their ability to meet or participate.
- ✚ Keeping parents informed of their students' challenges, effort, and successes.
- ✚ Encouraging students to participate in classroom, extracurricular, and other school-related activities.
- ✚ Knowing and enforce the rules, policies, and procedures consistently, fairly, and equitably.

Principals have the responsibility of:

- ✚ Promoting a safe, supportive and orderly school environment for all school community members, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
- ✚ Reviewing the **Code of Conduct** as well as procedures for incident reporting, with all staff at the beginning of the school year.
- ✚ Maintaining confidentiality and student/parent rights to privacy.
- ✚ Developing the capacity of staff, students, and families to intervene in behavioral concerns.

- ✚ Being responsible for enforcing the **Code of Conduct** and ensuring that all cases of incidents are resolved promptly, fairly and equitably.
- ✚ Analyzing the contexts in which behavior problems occur.
- ✚ Being a role model and demonstrate the behaviors that they would like to see their students emulate.
- ✚ Investigating and address issues of discrimination, harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
- ✚ Addressing personal biases that may prevent equal treatment of all students in the school or classroom setting.
- ✚ Promptly reporting to the Superintendent or designee, any incidents of discrimination and harassment that are witnessed or otherwise brought to their attention.

The Superintendent has the responsibility of:

- ✚ Promote a safe, supportive and orderly school environment for all school community members regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
- ✚ Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
- ✚ Work with district administrators in enforcing the **Code of Conduct** and ensuring that all cases are resolved promptly, fairly and equitably.
- ✚ Address issues of discrimination, harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.

Members of the Board of Education have the responsibility of:

- ✚ Promoting a safe, supportive and orderly school environment for all school community members regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
- ✚ Approving the District's **Code of Conduct** annually.
- ✚ Address issues of discrimination, harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property.

Visitors to the Schools

The Board encourages parents and other community members to visit the district's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The Principal, or his or her designee, is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

- ✚ Anyone who is not a regular staff member or student of the school will be considered a visitor and must receive permission from the Principal to visit the school.
- ✚ In order to protect students, staff, and facilities, all visitors must enter through the designated single point of entry and report to the designated reception area. They will be required to present valid photo identification, sign the visitor's register, and will be issued a Visitor's Badge, which must be worn at all times while in the school or on school grounds.
- ✚ Any parents, visitors, or members of the public noticed at any time during school hours without a Visitor's Badge or District ID will be considered an Unauthorized Visitor and will be reported immediately to the Principal or Main Office. The police may be called if the situation warrants.
- ✚ Teachers are expected not to take class time to discuss individual matters with visitors.
- ✚ The visitor must return the Visitor's Badge to the designated reception area before leaving the building.
- ✚ All visitors are expected to abide by the rules for public conduct on school property contained in this **Code of Conduct**

The purpose of this **Code of Conduct** is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. When the building principal or designee sees an individual engaged in disruptive or disorderly conduct, the building principal or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop.

If the person's conduct poses an immediate threat of injury to persons or property, the Building Principal or designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist. The district shall initiate disciplinary action against any student or staff member, as appropriate, which violates the **Code of Conduct**. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the **Code of Conduct**.

Reporting Violations

All school district personnel who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. School district personnel who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the **Code of Conduct** to their supervisor. The supervisor will impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction. Any student observing another student possessing a weapon, alcohol or illegal substance on school property or at a school function is encouraged to report this information immediately to any staff member or administrator. The building principal or designee will consult with the appropriate local law enforcement agency regarding violations that constitute a crime. Notification to law enforcement may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the **Code of Conduct** and constituted a crime. **For incidents of bullying and harassment see DASA section (Dignity for All Students Act) on page 34.**

Progressive Consequences

Practices that allow educators to address disciplinary matters as opportunities for learning instead of punishment are far more successful in changing a student's behavior than a reliance on increasing punitive measures. Consequences are most effective with students when they deal directly with the problem, in a way that students view them as fair and impartial. To this end the District understands the importance of restorative practices when student behavioral issues affect the safety of the classroom and school and interfere with the learning of all students. This philosophy is evident in the commitment to the implementation of restorative practices in each school building and in the discipline consequences that occur as a result of the most serious offenses referred to Superintendent's Hearings.

Restorative Practices are interventions designed to hold students accountable for harm and address the needs of students or staff harmed and the school community. Restorative Practice may be defined as a way of thinking and responding to conflict and problems that involve all participants determining what took place and how to create a logical and balanced resolution. Examples of Restorative Practices include: Family Group Conferencing; Classroom Circles; Reparation of Harm; or Therapeutic/Resource strategies such as Mental Health Treatment, Anger Management; and Behavior Coaching.

When choosing interventions and consequences for students' behavior, teachers, administrators, and staff must balance the District's goals of eliminating school disruptions with maximizing student instructional time. Consequences paired with meaningful instruction and guidance (corrective feedback and re-teaching) offers students an opportunity to learn from their mistakes and contribute back to the school community. Each student is a unique individual and every situation which requires disciplinary action has its own set of extenuating circumstances. All factors that may have affected the student's behavior will be considered before discipline is determined. Students who behave inappropriately will receive developmentally appropriate consequences. Prior to disciplining students, the following factors shall be considered:

- ✚ Age, health, and disability or special education status of the student
- ✚ The likelihood that the behavior offense will occur again
- ✚ Appropriateness of student's academic placement
- ✚ Student's understanding of the impact of their behavior
- ✚ Student's willingness to repair the harm caused by their behavior through restorative practices
- ✚ Seriousness of the behavior offense and the degree of harm caused
- ✚ Impact of the incident on overall school community
- ✚ The likelihood that a lesser intervention would adequately address the violation

Where appropriate, discipline will be progressive. This means that a student's first violation will usually merit a consequence of a lesser degree than subsequent violations, taking into account all factors relevant to the severity of the current violation. However, in instances where a student's conduct is dangerous or threatens the safety of others, a more severe form of disciplinary action may be warranted, even if it is the student's first offense.

Understanding consequences as a "teachable moment" is fundamental to a positive approach to discipline. Progressive consequences use incremental interventions to address inappropriate behavior with the ultimate goal of teaching pro-social behavior. Progressive consequences do not seek punishment. Instead, progressive consequences seek concurrent accountability and behavioral change.

The goal is prevention of a recurrence of negative behavior by helping students learn from their mistakes. Essential to the implementation of progressive discipline is helping students who have engaged in unacceptable behavior to:

- ✚ Understand why the behavior is unacceptable and the harm it has caused
- ✚ Understand what they could have done differently in the same situation
- ✚ Take responsibility for their action
- ✚ Be given the opportunity to repair the harm caused by their behavior
- ✚ Be given the opportunity to learn pro-social strategies and skills to use in the future
- ✚ Understand the progression of more stringent consequences if the behavior reoccurs

Every reasonable effort should be made to correct student misbehavior through interventions and other school-based resources and the least severe disciplinary responses. Interventions are essential because inappropriate behavior or violations of the **Code of Conduct** may be symptomatic of more serious problems that students are experiencing (e.g. homelessness, poverty, trauma, or loss). It is, therefore, important that school personnel be sensitive to issues that may influence the behavior of students and respond in a manner that is most supportive of their needs. SCSD supports a Trauma Sensitive Schools (TSS) model which provides staff with professional development in responsive and supportive intervention strategies.

Discipline of Students with Disabilities

The procedures relating to the discipline of students with (or suspected) disabilities requires that school Administrators work closely with their School Psychologist and the Committee on Special Education, to consider whether or not the behavior is a “manifestation” of the student’s disability. How this question is answered affects the discipline that is implemented.

The principal has the authority to suspend a student with a disability for a period not to exceed **5 consecutive school days**, and not to exceed the amount of time that a non-disabled student would be subject to suspension for the same behavior. However, The Superintendent may order the placement of a student with a disability into an Interim Alternate Educational Placement (IAES), another setting or suspension for up to 10 consecutive school days for the same behavior, where the Superintendent determines in accordance with the procedures set forth in Education Law §3214 that the student has engaged in behavior that warrants a suspension, provided that the duration of any such suspension or

removal shall not exceed the amount of time that a non-disabled student would be subject to suspension for the same behavior. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct.

Any suspension of a student with a disability, who is suspended from school for **more than ten days** over the course of the school year, shall be referred to the Committee on Special Education which will arrange for the student's placement in an IAES during the time of such suspensions, when such suspensions constitute a disciplinary change in placement. Where the CSE finds that the behavior leading to the suspension is related to the student's disability, no further suspension may be imposed and the student must be returned to the placement he or she was in prior to the suspension, unless (1) the CSE decides to recommend a new placement with which the parent agrees or (2) the behavior involved drugs, weapons, or inflicted serious bodily injury. There is an exception when the student is found guilty of possessing, using, selling or soliciting illegal drugs, the use or possession of a weapon or the infliction of serious bodily injury, in which case The Superintendent may suspend the student for up to 45 school days even if the Manifestation Team finds that the behavior leading to the student's suspension was related to the student's disability.

During a Superintendent's hearing, if The Manifestation Team finds that the behavior leading to the student's suspension is not a manifestation of the student's disability, the student shall be referred back to the hearing for the Penalty Phase where the Superintendent may impose the same period of suspension applicable to a non-disabled student.

If the Superintendent concludes, based upon the evidence presented at hearing, that maintaining the student in his or her current educational placement is dangerous, the Superintendent will refer the matter to the CSE to determine whether any additional steps can be reasonably taken to minimize the potential for harm. If the CSE is unable to identify any additional supports or services to eliminate the danger, and the CSE is unable to reach a mutually agreeable alternative plan to continue the student's education elsewhere, the District Director of Pupil Personnel Services may, after consultation with the Superintendent, initiate an expedited hearing or petition a court to seek permission to enforce a unilateral removal of the student.

Students Suspected of Having a Disability

During a Superintendent's Hearing, the Hearing Officer will ask whether the student may be "*suspected of having a disability*." If the parent or school team answers "yes", an administrator from the Pupil Personnel Services Department will be called upon to help make this determination, using one or more of the following criteria:

1. The parent of the student has expressed concern to school district personnel in writing that the student is in need of special education;
2. The behavior or performance of the student demonstrates the need for special education, as defined by federal and state law and regulations;
3. The parent of the student has requested an individual evaluation of the student for special education services; or
4. A teacher of the student, or other staff, has expressed concern about the behavior or performance of the student to the Director of Special Education or to other school district personnel.

If it is determined that the student may be "*suspected of having a disability*," the student shall be afforded the same protections as students with disabilities and shall be evaluated and eligibility determined by the Committee on Special Education (CSE) in an expedited manner.

Levels of Interventions & Disciplinary Responses

When student conduct becomes a disruption to the educational process, school staff and principals respond logically, appropriately and consistently. Schenectady City School District's **Code of Conduct** describes five levels of possible response to inappropriate behavior. Each inappropriate behavior is assigned to one or more of these levels of intervention and response. Principals and school staff should use only the levels suggested for each behavior.

If the misconduct is assigned to two or more levels, then, wherever possible, the lowest level of intervention and disciplinary response should be used first. For example, if a student refuses to follow directions, school staff and principals should first use intervention strategies and responses in Level 1 before moving to Level 2.

When principals and school staff respond to student behavior, they are expected to take numerous factors into account. Discipline is most effective when it deals directly with the problem at the time and place it occurs and in a way that students view as fair and impartial. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will refer to the Code of Conduct and will consider the following:

- ✚ The student's age, maturity, and previous disciplinary record (including the nature of the prior misconduct, the number of prior instances of misconduct, and the disciplinary measure imposed for each)
- ✚ The likelihood that the behavior offense will occur again
- ✚ The nature of the offense and the circumstances that led to the offense
- ✚ The appropriateness of other forms of discipline
- ✚ Information from parents, teachers, staff and/or others as appropriate
- ✚ Other extenuating circumstances

As a rule, discipline will be progressive, meaning that a student's first violation will usually merit a lighter penalty than subsequent violations. However, school personnel may impose a more severe penalty for a first violation depending on the specific facts and circumstances of the incident.

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than an oral warning, written warning, or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below:

Detention

Teachers, principals and the Superintendent may use lunch, before school and after-school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified, and arrangements for appropriate post-detention transportation home have been made, in accordance with the following procedures.

In an Elementary School or Middle School setting, the teacher and/or administrator shall be responsible for notifying a parent of the imposition of a detention and for ensuring that the parent makes arrangements for appropriate transportation home following the detention. In the High School environment, the student has the obligation to notify his or her parent that a detention has been imposed. The school will provide a late bus to ensure appropriate transportation home following the detention.

Suspension from Transportation

If a student does not conduct himself or herself properly on a bus, the bus driver is expected to bring such misconduct to the Building Principal's attention. Students who exhibit dangerous or chronically problematic behavior on the bus may have their riding privileges suspended by the Building Principal or the Superintendent or their designees. In such cases, the student's parent will become responsible for seeing that their child gets to and from school safely. Should the suspension from transportation lead to school absence, the District will make appropriate arrangements to provide for the student's education. The student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law § 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the Building Principal or the Principal's designee to discuss the conduct and the penalty involved.

Athletic & Extra Curricular Activity Code of Conduct

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law § 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the suspension to discuss the conduct and the penalty involved.

Teacher Disciplinary Removal of Disruptive Students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances, the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques.

Before a student is removed, the teacher should provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class. If the student poses a danger to self or others, the teacher may order the student to be removed immediately. In the case of serious misconduct, the teacher may request the principal to exclude the pupil from class pursuant to subdivision 3 of Section 3214 of the Education Law and not be readmitted until after The Principal, parents and teacher have conferred jointly.

The teacher must complete a District established "Disciplinary Removal" form and meet with the Building Principal or Designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. The building principal or designee may overturn the removal of the student from class if any of the following are found:

- ✚ The charges against the student are not supported by substantial evidence.
- ✚ The student's removal is otherwise in violation of law, including the Code of Conduct.

The Building Principal or designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the Building Principal makes a final determination or the period of removal ends, whichever comes first. Any student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom. The Principal will keep a running record (on a district-established form) of all student removals and ensure the School Based Support Team (SBST) has the opportunity to evaluate the root cause and intervene.

In-School Suspension

The Board recognizes that the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes Building Principals and the Superintendent to place students who would otherwise be suspended from school as a result of a Code of Conduct violation in "In-School Suspension." A student subjected to In-School Suspension is not entitled to a full hearing, pursuant to Education Law § 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the principal imposing the in-school suspension to discuss the conduct and the penalty involved. They will also be provided with academic work to complete from their classroom teachers.

Strict Supervised Study

This may be used when a student is sent to an alternative location for a half day or less for a time out period. The alternative location must be staffed with a certified teacher.

Out of School Suspension

Suspension from school is a severe penalty which may be imposed only upon students who are violent or whose conduct otherwise endangers the safety, moral character, physical or mental health, or welfare of others. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and Building Principals. Any staff member may recommend to the Superintendent or Building Principal that a student be suspended. All staff members must immediately report and refer violent incidents to the Building Principal or the Superintendent as a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate action. The Superintendent or Principal, upon receiving a recommendation or referral for suspension, shall gather the facts relative to the matter and record them for subsequent presentation if necessary.

Short-Term (5 days or less) Suspension from School

When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five (5) days or less, pursuant to Education Law § 3214(3), the suspending authority must immediately notify the student orally.

If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parent, in writing, that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parent.

Where possible, notice should also be provided by telephone, if the school has been provided with a telephone number for the purpose of contacting the parent. The notice shall provide a description of the charges against the student and the incident for which the suspension is proposed, and shall inform the parent of the right to request an immediate informal conference with the Principal. At the conference, the parent shall be permitted to ask questions of complaining witnesses under such procedures as the Principal may establish.

Translation services will be offered at all stages of the process. The notice and opportunity for an informal conference shall take place before the student is suspended, unless the student's presence in school poses a continuing danger to persons, property, or an on-going threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practical.

After the conference, The Principal shall promptly advise the parent in writing of their decision. The principal shall advise the parent that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five (5) business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within ten (10) business days after receiving the appeal. If the parent is not satisfied with the Superintendent's decision, the parent must file a written appeal to the Board of Education with the District clerk within ten (10) business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within thirty (30) days of the decision. The District may, in its discretion, continue to impose the suspension during the pendency of any appeal.

Long-Term (more than 5 days) Suspension from School

When the Superintendent or Principal determines that a suspension for more than five (5) days may be warranted, he or she shall give reasonable notice to the student and the student's parent of the right to a fair hearing. At the hearing, the student shall have the right to be represented by counsel, the right to question witnesses against him/her, and the right to produce witnesses and other evidence on his/her behalf. The Superintendent shall personally hear and determine the proceeding, or may, in his/her discretion, designate a Hearing Officer to conduct the hearing. The Hearing Officer shall be

authorized to administer oaths, and to issue subpoenas in conjunction with the proceeding before them. A record of the hearing shall be maintained, but no stenographic transcript should be required. Tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the Hearing Officer shall be advisory only, and the Superintendent may accept all or any part thereof. The Superintendent shall render a written decision.

Appeal of the decision of the Superintendent may be made to the Board of Education. The Board will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District clerk within ten (10) business days of the date of the Superintendent's decision, unless the parents can show extraordinary circumstances precluded them from doing so. The Board may adopt or reject, in whole or in part, the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner within thirty (30) days of the decision. The District may, in its discretion, continue to impose the suspension during the pendency of any appeal.

NOTE: When a student of any age is removed from class by a teacher, or when a student of compulsory education age is suspended from school pursuant to Education Law § 3214, the district will take immediate steps to provide alternative means of instruction for the student.

Minimum Periods of Suspension

-  **Students who bring weapons to school.** Any student found guilty of bringing a weapon onto school property will be subject to a suspension from school for up to one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law § 3214.

-  **Students who commit violent acts; other than bringing a weapon to school.** Any student who is found to have committed a violent act, other than bringing a weapon onto school property, will be subject to suspension from school for at least five (5) days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. *

-  **Students who are repeatedly substantially disruptive of the educational process, or repeatedly substantially interfere with the teacher's authority over the classroom.** Any student, who is repeatedly and substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least five (5) days. For purposes of this **Code**, "repeatedly and

substantially disruptive” means engaging in conduct that results in the student being removed from the classroom by teachers, pursuant to Education Law § 3214(3-a) and this **Code**, on four (4) or more occasions during a semester. If the proposed penalty is the minimum five-day suspension, the student and the students’ parent will be given the same notice and opportunity for an informal conference given to all students subject to short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student’s parent will be given the same notice and opportunity for a hearing given to all students’ subject to a long-term suspension.

✚ **The Superintendent has the authority to modify the length of suspension on a case-by-case basis.** In deciding whether to modify the penalty, the Superintendent may consider the following: the student’s age, student’s grade in school, student’s prior disciplinary record, Superintendent’s belief that other forms of discipline may be more effective, input from parents, teacher and/or others; and other extenuating circumstances. A student with a disability may be suspended only in accordance with the requirements of State and Federal law.

Diversion Process

As previously noted, practices that allow educators to address disciplinary matters as opportunities for learning instead of punishment are far more successful in changing a student’s behavior than a reliance on increasing punitive measures. The district, in collaboration with several community partners, implemented a process that makes several conditions under which a student in grades 6-12 that is facing a long-term suspension, can have their suspension reduced when they agree to participate in evidence based interventions.

The ***Diversion Process*** is an alternative pathway that a student and parent can choose when a student has been referred to a Superintendent’s hearing. If a parent opts for Diversion, they plea “no contest” to the discipline charges and provide written consent for their child to be assessed using the MAYSI (Massachusetts Youth Screening Instrument) and the YASI (Youth Adolescent Screening Instrument). Students who have, or are suspected of having, a disability must have a manifestation determination meeting held prior to the start of the Diversion Process. If manifestation is found, the student is referred back to CSE and does not proceed with Diversion.

Once a student has been tested on the MAYSI and YASI by a school based clinician (social worker or mental health counselor), the parent and student participate in an Emergency Response Team Meeting (ERT) along with the Building Administrator, School Counselor, and a Parent Liaison. The Director of Pupil Personnel Services (or Designee) chairs the ERT and the team examines the testing results and attempts to identify root causes for behavior, and matching evidence based interventions. A case plan is developed along with decisions made regarding whether further suspension is warranted and the abeyance (early return to school) conditions. Diversion

is a diagnostic and prescriptive process, using evidence based treatments designed to identify and address underlying causes for behavior and reduce recidivism.

Evidence Based interventions include:

- ✚ Dialectical Behavioral Therapy (DBT)
- ✚ Anger Replacement Therapy (ART)
- ✚ Restorative Practices/Circles
- ✚ Substance Abuse Evaluation & Treatment
- ✚ Strengthening Families
- ✚ Family Functional Therapy (FFT)
- ✚ T4C Thinking for Change
- ✚ Trauma Focused Cognitive Therapy

Abeyance

Abeyance conditions are sometimes assigned to students who receive a long-term suspension but do not opt for the Diversion Pathway. Completion of abeyance conditions potentially allows for a student to return to school from suspension sooner, however the conditions assigned are not evidence based. They are the Administrator and PPS teams' best guess at what might help the students so they don't have another incident.

Some of these interventions include:

- ✚ Peer Mediation
- ✚ Fire Prevention
- ✚ Mentoring
- ✚ Functional Behavioral Assessment and Behavior Intervention Plan
- ✚ Check and Connect System with teacher

SCHOOL BASED DIVERSION

A Model Pathway for At Risk Youth with Behavioral Health Needs

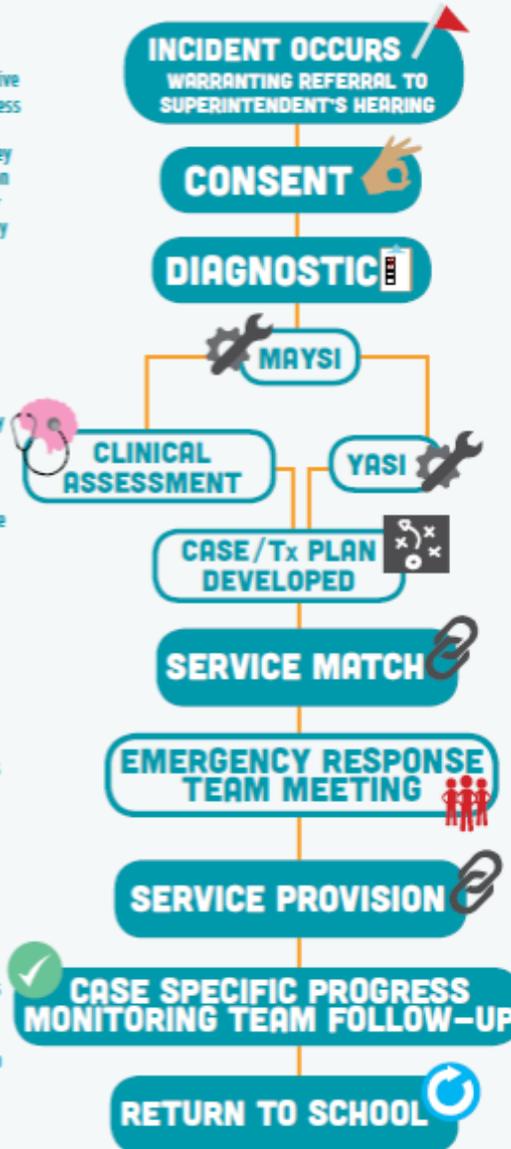
 Youth referred to a Superintendent's Hearing are given the opportunity to enter an alternative pathway that provides the opportunity to access mental and behavioral health services and potentially reduce the amount of time that they are removed from school. If after a discussion of this process (that includes a parent and/or guardian) this option is refused, students may choose to 'opt in' later in the process.

 A social worker will present youth & their guardians with the opportunity to consent to the alternative pathway within 5 days of the initial offense.

 Students who opt in to the alternative pathway will receive a full MAYSI screen (a screening for mental health tool to identify possible needs). If a youth is identified as having mental health needs by the MAYSI, they will be referred to a clinician for a clinical assessment. If the youth does not display mental health needs on the MAYSI, they will receive the YASI (risk, needs, and protective factors assessment) to inform case planning.

 Students who are referred to a clinical assessment based on the MAYSI will receive diagnostic information and case/treatment plan recommendations from the clinician. Students who receive the YASI instead will receive case planning services from a school social worker. Either the clinician or the school social worker will match/refer the student to appropriate community-based services.

 The Emergency Response Team (ERT) will create an agreement with the student that links compliance with recommended services to reduced time out-of-school. An extended ERT will continue monitoring progress and determine when the youth is ready to return to school.



PINS Proceedings. The District may file a PINS (Person In Need of Supervision) petition in Family Court for any student under the age of 18 who demonstrates that they require supervision and treatment by:

- ✚ Being habitually truant and not attending school as required by Part I of Article 65 of the Education Law;
- ✚ Engaging in an on-going continuing course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school; or
- ✚ Knowingly and unlawfully possesses marijuana or a controlled substance in violation of the Penal Law. A single violation of the controlled substance provisions of the Penal Law will be a sufficient basis for filing a PINS petition.

Juvenile Delinquents and Juvenile Offenders. The Superintendent is required to refer the following students to the County Attorney for juvenile delinquency proceedings before the Family Court:

- ✚ Any student under the age of 16 who is found to have brought a weapon to school; or
- ✚ Any student, 14 or 15 years old, who qualifies for juvenile offender status under the Criminal Procedure Law § 1.20(42).

The superintendent is required to refer students 16 and older, or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

Levels of Intervention and Consequence

LEVEL 1

Examples of classroom interventions and responses: These interventions aim to teach & correct alternative behavior so students can learn and demonstrate safe and respectful behavior. Teachers are encouraged to try a variety of teaching and classroom management strategies.

Contact parent via telephone, email or text message	Reflection Activity
Verbal correction-state expectations	Reminders and redirection (e.g., role play)
Written reflection or apology	Seat change
Parent or guardian conference	Daily progress sheet on behavior
In-class time-out	Establish buddy teacher system
Classroom reward system	Loss of classroom privileges
Teacher or student conference	Restorative Circle
Detention	Reteach and rehearsal of skill/procedure

Examples of student support team interventions and responses: These interventions often involve support staff, both school based and within the broader community, and aim to engage the student's support system to ensure successful learning and consistency of interventions, and to change the conditions that contribute to the student's inappropriate or disruptive behavior.

Parent or guardian notification	Community conferencing
Mentoring program	Peer mediation
Referral to SBST	Functional Behavioral Assessment
Behavior Intervention Plan	Intervention Support for Behavior ISP-B
Referral to school-based health or mental health clinic	Referral to after-school program
Conflict resolution	Restorative justice
Community mediation	

LEVEL 2

Examples of intensive support staff and administrative interventions and responses: These interventions can involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school.

Change in schedule or class	Parent or guardian notification
Restorative Practice strategies	Loss of privileges
Community Service	Detention
Conflict resolution	Peer mediation
Reprimand by appropriate administrator	Referral to School Counselor or Social Worker
Referral to SBST	Revision to IEP (for students with disabilities)
In-school suspension	Assignment of work projects
Mentoring	Referral to DASA Coordinator
Review Cumulative Folder & look for strategies	Routing Slip or daily progress sheet
Positive Feedback	Adjust seating proximity

LEVEL 3

Examples of suspension and referral responses: These interventions may involve the short-term removal of a student from the school environment because of the severity of the behavior. The duration of the short-term suspension, if issued, is to be limited as much as practicable while adequately addressing the behavior.

Parent or guardian conference	Short-term suspension (one to five days)
Referral to SBST	Referral to substance abuse counseling
Referral to outside counseling	Referral to CSE (students with disabilities)
Functional Behavioral Assessments	Behavioral Intervention Plans
Referral to community organizations	PINS Petition
Check and Connect system	Up to 3-day suspension from transportation
Mentoring	Request Behavior Specialist Consultation
	Support staff: root cause/Trauma assessment

LEVEL 4

Examples of suspension and referral responses: These interventions may include removing the student from the classroom/school environment because of seriousness of behavior. The duration of removal is to be limited as much as possible while still adequately addressing the seriousness of the behavior.

Student centered discussion around repair-restorative circle	Work with PPS to create ICMP
Referral to school based mental health provider	Referral DBST (District Based Support Team)
Collaborate with parent to plan for transition back	Up to 5 day Out of School Suspension
Develop an ISP or ISP-B	Refer to SBST
Informal conference with principal and student	Restorative Circle upon return
Mentoring	After school Program

LEVEL 5: See Prohibited Student Conduct

The School District will engage staff and administrators in work that will help guide the use of interventions and consequences across buildings and grade levels in a culturally responsive, and consistent manner.

SUSPENSIONS GRADES PREK-2

Schenectady City School District along with NYS Education Dept. is committed to taking steps to reduce and significantly limit expulsion and suspension practices, with the goal of eliminating these practices in all early childhood settings. Consequently, any suspension of a **pre-kindergarten student** requires the permission and signature of the Superintendent, Assistant to the Superintendent, or District Director of Pupil Personnel Services.

If a **student in grades k-2** engages in pervasive or serious aggressive acts that cause injury or threaten children's safety in the classroom, the Principal can determine the most appropriate interventions and request an out of school suspension. Any suspension requires the permission of the Superintendent, Assistant to the Superintendent, or District Director of Pupil Personnel Services. The Principal must immediately provide written notification to the Superintendent's designee upon suspension. In addition, an intervention plan should be developed and parents invited to be directly involved in its development.

PROHIBITED STUDENT CONDUCT AND RANGE OF PENALTIES

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, school personnel and other members of the school community and for the care of school facilities and equipment.

The Board of Education recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The disciplinary code that follows provides examples of prohibited conduct and the range of possible disciplinary penalties.

Grades 3 –12 Level 1 Code Violations

Code Violations	Range of Possible Responses
<ul style="list-style-type: none"> • Unexcused absence from school • Chronic unexcused tardiness from school/class • Bringing prohibited equipment or material to school without authorization • Failing to be in one's assigned place on school premises • Violating the District Dress Code • Threatening or harassing others • Posting or distributing material on school premises in violation of written Board of Education policy and/or school rules • Using school computers, fax machines, telephones or other electronic equipment or devices without appropriate permission • Failing to provide school officials with required identification • Truancy from classes (reporting to school and failing to attend one or more programmed classes) 	<ul style="list-style-type: none"> • Student/teacher conference • Reprimand by appropriate supervisor (e.g., Assistant Principal, Principal) • Parent Conference • In-School consequence-loss of privilege (e.g., lunchtime detention, after school detention) • Removal or covering the item that violates the Dress Code • Referral to SBST • Restorative Circle

Grades 3 – 12 Level 2 Code Violations

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| <ul style="list-style-type: none">• All smoking and/or possession of matches or lighters, e-cigarettes, vaping, or synthetics such as spice K2• Gambling• Using profane, obscene, vulgar, lewd or abusive language or gestures• Lying to, giving false information to, and /or intentionally misleading school personnel• Misusing property belonging to others• Engaging in behavior on the school bus which creates a substantial risk of or results in injury• Leaving class or school premises without permission of supervising school personnel• Engaging in inappropriate or unwanted physical contact• Violating the District's Internet Use Policy• Engaging in scholastic dishonesty which includes but is not limited to: Cheating (e.g., copying from another's test paper; using material during a test which is not authorized by the person giving the test; collaborating with another student during the test without authorization; knowingly using, buying, selling, stealing, transporting, or soliciting, in whole or part, the contents of an un-administered test; substituting for another student or permitting another student to substitute for one's self to take the test; bribing another person to obtain a test that is to be administered; or securing copies of the test or answers to the test in advance of the test)• Plagiarizing (appropriating another's work and using it as one's own for credit without the required citation and attribution, e.g., copying written work from the Internet, or any other source) | <ul style="list-style-type: none">• Student/teacher conference• Verbal reprimand by appropriate supervisor (e.g., Assistant Principal, Principal)• Parent Conference• Suspension from Transportation up to 3 days• Loss of computer or internet privileges• Removal or covering item that violates dress code• In-school consequences (e.g., lunch or after school detention)• Strict Supervised Study• Restorative Circle• Referral to SBST• In School Suspension |
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Grades 3 – 12 Level 3 (the following are examples of Level 3 Infractions):

Code Violations	Range of Possible Responses
<ul style="list-style-type: none"> • Non-compliance: Failure to comply with school rules, regulations, or procedures • Discriminating, harassing or bullying others, including, for example, slurs based upon actual or perceived race, ethnicity, color, weight, national origin, citizenship/immigration status, religion, gender, gender identity, gender expression, sexual orientation, or disability • Shoving, pushing, or engaging in other similar physical behavior (e.g., horseplay or other minor altercation), or throwing an object (e.g., chalk) or spitting at another person • Knowingly possessing property belonging to another without authorization • Tampering with, changing, or altering a record or document of a school by any method, including, but not limited to, computer access or other electronic means • Engaging in behavior on the school bus which creates a substantial risk of or results in injury • Engaging in vandalism, graffiti or other intentional damage to school property or property belonging to staff, students or others • Posting or distributing libelous material or literature (including posting such material on the internet, videotaping in classrooms, bathrooms, locker-rooms or during incidents of unrest or violence is prohibited) • Engaging in a pattern of persistent Level 2 behavior in the same school year • Engaging in sexual contact on school premises or at school-related functions 	<ul style="list-style-type: none"> • Short Term Suspension (1-5 days) in concert with: • Student/teacher conference • Reprimand by appropriate supervisor (e.g., Assistant Principal, Principal) • Parent Conference • Suspension from Transportation • Loss of computer or internet privileges • In-school consequences (e.g., exclusion from extracurricular activities or recess) • Removal from classroom by teacher • Restorative Practices (Circle/Mediation) • Refer to SBST • In School Suspension

Grades 3 – 12 Level 4 (the following are examples of Level 4 Infractions):

Code Violations	Range of Possible Consequences
<ul style="list-style-type: none"> • Posting or distributing literature or material containing a threat of violence, injury or harm, or depicting violent actions against of obscene, vulgar or lewd pictures of students or staff including posting such material on the internet • Engaging in an altercation and/or physically aggressive behavior, other than horseplay, which creates a substantial risk of or results in minor injury • Engaging in an act of coercion or threatening violence, injury or harm to another or others • Engaging in behavior on the school bus which creates a substantial risk of or results in minor injury • Violating the District Bullying Policy (including engaging in cyber-bullying) • Making sexually suggestive comments, innuendoes, propositions or similar remarks, or engaging in nonverbal or physical conduct of a sexual nature (e.g., touching, patting, pinching, lewd or indecent public behavior, or sending or posting sexually suggestive messages or images) • Possessing controlled substances without appropriate authorization, illegal drugs, drug paraphernalia, and/or alcohol • Taking or attempting to take property belonging to another without authorization • Falsely activating a fire alarm, other disaster alarm or making a bomb threat • Creating a substantial risk of injury by either recklessly engaging in behavior, an/or using an object that appears capable of causing physical injury (e.g., lighter, belt buckle, or umbrella) • Setting a fire • Possessing a weapon • Engaging in a pattern of persistent Level 3 behavior in the same school year • Threatening to use or using force to take or attempt to take property belonging to another 	<ul style="list-style-type: none"> • Short term out of School Suspension up to 5 days in concert with: • Parent conference • Suspension from transportation • Student/teacher conference • Reprimand by appropriate supervisor (e.g., Assistant Principal, Principal) • Loss of computer or internet privileges • In-school consequences (e.g., exclusion from extracurricular activities or recess, or In School Suspension) • Removal from classroom by teacher • Drug Treatment referral • Referral for outside counseling • Refer to PPS for Psycho-sexual Risk Assessment • DBST Referral • Intervention by Cultural brokers/community mediation • Restorative Practices (Circle/Mediation) • Superintendent’s suspension for five days or more • Short term suspension up to 5 days with Informal Hearing • School Based Diversion

Grades 3 – Grade 12

Level 5 (the following are examples of Level 5 Infractions):

Serious Code violations	Range of Possible Consequences
<ul style="list-style-type: none">• Using force against, or inflicting or attempting to inflict serious injury against school personnel, school safety agents, students or others• Planning, instigating, or participating with another or others, in an incident of group violence• Engaging in threatening, dangerous or violent behavior toward others• Engaging in physical sexual aggression/compelling or forcing another to engage in sexual activity• Distribution of illegal drugs, controlled substances, or alcohol• Use of or threatening with a weapon• Selling a weapon• Intentional physical attack on school personnel• Engaging in a pattern of persistent Level 4 behavior in the same school year• Inciting/causing a riot that created a substantial risk for injury of others	<ul style="list-style-type: none">• Superintendent's suspension for five days or more• Short term suspension up to 5 days with Informal Hearing• School Based Diversion

POLICIES AND CODES

STUDENT DRESS CODE

The Schenectady City School District is committed to providing a safe, secure, orderly and appropriate environment for learning. This includes the responsibility of ensuring a student's dress, grooming, and overall appearance, is safe, and does not disrupt or interfere with the educational process. A student's style of dress may reflect individual choice but must be within the constraints of reasonable rules and appropriate standards consistent with an environment that promotes a positive learning atmosphere free of disruptions and distractions. Students and their parents are responsible for adhering to the SCSD Dress Code. The SCSD requires the support of parents, guardians, and school personnel with enforcement of the dress code. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate school attire.

The Office of Pupil Personnel Services convened a stakeholder group during the 2016-17 school year, who in turn facilitated 15 focus groups for staff, students, and parents to discuss the Code of Conduct and Dress Code. The discussion provided many suggestions that ultimately shaped the proposed 17-18 Dress Code. In general, the students reported that appropriate dress at school that limits distractions to the learning environment is a reasonable expectation, however they would like more freedom to express personal choice. They feel the "administration is inconsistent in enforcement of the dress code and in many cases students feel as if the Dress Code is biased toward females." They desire a dress code that is more culturally responsive and gender equitable. Please see Policy #7312 for explicit language around Dress Code.

BULLYING/CYBER BULLYING

The district has adopted a Bullying/Cyber-bullying Policy #7552 which states: Bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn, an educator's ability to teach and threatens classroom and school safety. The SCSD is committed to providing a school environment that values and teaches respect for all. The district will not tolerate bullying of any kind. Staff and administrators are expected to investigate and address any reported incidents of bullying and work with school staff, families and students to discuss solutions.

Dignity for All Act (DASA)

New York State's Dignity for All Students Act (The Dignity Act) took effect on July 1, 2012. Just as with the district's Code of Conduct, the law seeks to provide the State's public elementary and secondary school students with a safe and supportive environment free from discrimination, intimidation, taunting, harassment, and bullying on school property, school buses, and/or at school functions. The Dignity Act includes, but is not limited to, acts of discrimination and harassment based on a student's race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (defined to include gender identity or expression), or sex. Each school has a Dignity Act Coordinator who is trained to address issues in areas protected by the law and is accessible to the school community. The Schenectady City School District DASA coordinator is Andrea Tote, District Director of Pupil Personnel Services. Parents who feel that their child has been bullied should contact their child's principal who will instruct the school's DASA Coordinator to conduct an investigation. More information about DASA including the DASA complaint form can be found here: <http://schenectady.ss12.sharpschool.com/cms/One.aspx?portalId=412336&pageId=581303>

PERSONAL ELECTRONIC DEVICES

The district has adopted a Personal Electronic Devices Policy #7318 which identifies a Personal Electronic Device (PED) as a privately-owned device that is used for audio, video, or text communication or any other type of computer-like instrument. These devices have the potential of disrupting the orderly operation of the district's schools. The district has created this policy to govern the possession and use of personal electronic devices on school premises, at school-sponsored activities and on school transportation. Cell phones are not to be used in red zones in school buildings.

Athletics & Extra Curricular Activities

Students who participate in athletics and extracurricular clubs & activities should recognize they have an obligation to themselves, their team members, coaches, teachers, their school, and their community to strive for excellence. Respect for one's health and physical development must be an integral part of daily living. Every athlete and participant in extracurricular activities & clubs must be in good standing as a school community citizen. Any student who serves an In-School Suspension or Out-School Suspension will be ineligible to practice and/or competition on that day. A student may be suspended from the team or club for:

- ✚ Demonstrating an improper attitude toward the community, school, administration, staff, coaches, or fellow students.
- ✚ Inappropriate behavior on cyber space (photos, videos) may result in suspension from the team, activity, or club.
- ✚ Hazing in any form is strictly forbidden by New York State law and District Policy. Participation in or failure to report any hazing will result in disciplinary review and possible suspension and/or dismissal from the team or club.
- ✚ Violation of criminal law will result in suspension from practice and competition pending a hearing between the Principal and Athletic Director.
- ✚ Possession of alcohol, tobacco, marijuana or other controlled substances.

The following expectations apply to students, managers, athletes, and cheerleaders:

- ✚ **The possession of alcohol, tobacco in any form, marijuana or other controlled substances will result in the following:**
- ✚ **First Offense** will result in a suspension for 20% of the total sports season. The student must report to all practices and be recommended for and attend substance abuse counseling.
- ✚ **Second Offense** will result in dismissal for remainder of the sports season and attendance at substance abuse will be recommended.
- ✚ **Third Offense** will result in the removal from interscholastic sports for the rest of the school year.

Glossary of Terms

Gender means actual or perceived sex and shall include a person's gender identity or expression.

Gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

Gender identity is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.

Parent means parent, guardian or person in parental relationship to a student.

School property means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in the Vehicle & Traffic Law § 142.

Sexual orientation means actual or perceived heterosexuality, homosexuality, or bisexuality.

School function means any school-sponsored or sanctioned extra-curricular event or activity, on or off-campus.

Violent student means a student under the age of 21 who:

- ✚ Commits an act of physical violence upon a school employee, or attempts to do so;
- ✚ Commits, while on school property or at a school function, an act of physical violence upon another student or any other person

- ✚ Unlawfully trespassing on school property or at a school function, or attempts to do so;

- ✚ Possesses, while on school property or at a school function, a weapon

- ✚ Threatens while on school property or at a school function to use a weapon;

- ✚ Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function;

- ✚ Knowingly and intentionally damages or destroys District property.

Weapon means a firearm, as defined in 18 U.S.C. § 921 for purposes of the Gun-Free Schools Act. It also means any other gun, bb-gun, pistol, revolver, shotgun, rifle, machine gun, a disguised gun, dagger, dirk, razor, stiletto, switchblade, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electric dart gun, kung-fu star, electronic stun-gun, pepper spray or other noxious spray, explosive, incendiary bomb or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

Suspension means a suspension pursuant to NY Education Law §3214.

Disciplinary change in placement means a suspension or removal from a student's current educational placement that is either for more than 10 consecutive school days or for a period of 10 consecutive days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

Interim alternative educational setting (“IAES”) means a temporary educational placement other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to participate in the general curriculum; to progress towards the goals set out in the IEP, although in another setting, and includes as necessary, services and modifications to address the behavior which precipitated the IAES placement designed to prevent the behavior from recurring.

Serious bodily injury means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Illegal drug means a controlled substance other than a substance legally possessed or used under the supervision of a licensed health-care professional or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of Federal law.

Expedited evaluation Where a parent of a nondisabled student who faces disciplinary action refers the student for an evaluation and the student is not a student presumed to have a disability, then the Committee shall complete all evaluations within 15 business days of the referral and convene a meeting to determine whether the student is a student with a disability within 5 business days thereafter.