



**The Westchester School for Special Children**  
**Student Code of Conduct**

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## **Code of Conduct**

The Westchester School for Special Children (WSSC) is committed to ensuring that our schools are safe, secure and orderly environments in which teaching and learning take place each day. Safe, supportive school environments depend on students, staff, and parents demonstrating mutual respect. Included in this document are a list of students' rights and responsibilities that promote responsible student behavior and an atmosphere of dignity and respect by establishing guidelines to help students as they strive to become productive citizens in a diverse society.

### **STANDARDS OF BEHAVIOR: ACCOUNTABILITY AND SUPPORT**

All members of the school community — students, staff, and parents — must know and understand the standards of behavior which all students are expected to live up to and the consequences if these standards are not met. The Westchester School for Special Children's Code of Conduct (Code of Conduct) provides a comprehensive description of unacceptable behavior, in addition to a range of permissible disciplinary and intervention measures which may be used. While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students. School officials are responsible for sharing the information contained in this document with students, staff, and parents.

In providing a range of permissible disciplinary measures, the Code of Conduct ensures both consistency and equitable treatment for all students and enables an administrator and the Executive Director or other designee of the Executive Director to exercise discretion and educational judgment. Administrators, teachers, therapists, classroom staff, students and parents need to know the disciplinary measures that can be taken when a student engages in inappropriate behavior or when their behavior becomes a threat to their safety and/or the safety of others. Counseling interventions are included because inappropriate behavior or violations of the Code of Conduct may be symptomatic of more serious problems that students are experiencing. It is, therefore, important that school personnel be sensitive to issues that may influence the behavior of students, including the nature of their disability, and respond in a manner that is most supportive of their needs.

The standards set forth in the Code of Conduct apply to behavior in school during school hours, before and after school, while on school property, while traveling on school district or WSSC provided school buses, at all school-sponsored events and on other-than-school property when such behavior can be demonstrated to negatively affect the educational process or to endanger the health, safety, morals, or welfare of the school community. The Code of Conduct also applies to inappropriate communication, including but not limited to texting, e-mailing, and any form of social networking.

## **PROMOTING POSITIVE STUDENT BEHAVIOR**

WSSC promotes a positive school climate and culture that provides students with a supportive environment in which to grow both academically and socially. The school takes 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 caring 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, bond with caring, supportive adults mitigate against negative behaviors. Examples can include: providing students with meaningful opportunities to share ideas and concerns and participate in school-wide activities; periodic recognition of students' achievements in a range of academic and co-curricular areas; using corrective feedback; and develop school-wide positive behavior systems. Such opportunities, coupled with a comprehensive program of prevention and intervention, provide students with the experiences, strategies, skills, and support they need to thrive.

## **PREVENTION AND INTERVENTION**

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, therapists, and other school staff are expected to engage students in intervention and prevention strategies that address a student's behavioral issues and discuss these strategies with the student and, when appropriate, with his/her parent/guardian. Intervention and prevention approaches may include counseling support (mandated or non-mandated) and services to address personal and family circumstances; social/emotional learning, conflict resolution/peer mediation/negotiation, anger management, and/or communication skills acquisition; the use of alternate instructional materials and/or methods; enrichment services; and/or development or review of functional behavioral assessments and behavioral intervention plans which should be developed and/or reviewed as an early intervention strategy. Through the use of 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 following school rules and policies.

As the primary source of managing disruptive behavior in the school environment, WSSC utilizes the principles of the Crisis Prevention Institute's (CPI) Non-Violent Crisis Intervention. CPI utilizes both proactive measures for preventing disruptive behaviors and safe/secure Non-

Violent Physical Crisis Intervention measures. For further information on this program please visit <http://www.crisisprevention.com> or contact Dr. Vasilios Lagos, Coordinator of Psychological and Behavioral Services, at 914-376-4300 ext 820/849.

### **PARENTS AS PARTNERS**

Students, parents, and school personnel all have a role in making schools 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 addressing areas of concern. Outreach to parents can include, but is not limited to, a phone call and/or a written communication. 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 must be familiar with the Code of Conduct. A copy of the Code of Conduct will be provided by the school in hard copy. The Code of Conduct will also be available via the school's website ([www.westchesterschool.org](http://www.westchesterschool.org)).

### **TYPES OF COUNSELING INTERVENTIONS**

- Parent Outreach: School staff should keep parents informed of their child's behavior and enlist parents as partners in addressing areas of concern. Outreach to parents can include, but is not limited to, a phone call and/or written communication.
- Intervention by Counseling Staff: School-based counseling personnel offer a wide range of services and interventions including, but not limited to: mandated/non-mandated individual therapy, group therapy, teacher consultations, as well as educational strategies for parents and staff. Counseling provides students with an outlet to share issues in private that may be negatively impacting their attendance, behavior, and/or academic success. Students discuss and formulate goals, and learn problem solving strategies that will enable them to overcome a variety of personal challenges. School staff will communicate with parents on a regular basis to discuss the student's academic and personal progress.
- Parent Conference: Administrators, teachers, and therapists may request a conference with the parent and, when appropriate, with the student. The purpose of the conference is to review the behavior, find solutions to the problem and address academic, personal and social issues that might have caused or contributed to the behavior.
- Conflict Resolution: Conflict resolution provides an opportunity to empower students to take responsibility for peacefully resolving conflict. The related activities teach students, parents, and staff problem solving skills/techniques that can be used in everyday situations. Such skills can include, but are not limited to, conflict and anger management, active listening, and effective communication.

- **Development of Individual Behavior Contract:** The student meets with the Behavior Services Department, the classroom teacher, and other school staff to create a written contract that includes objectives and the specific performance tasks that the student will accomplish to meet those objectives. The contract is signed by the student and teacher and, when appropriate, by the parent or guardian.
- **Short-Term Behavioral Progress Reports:** Although teachers will be in continuous communication with parents/guardians via the student's communication notebook, the Behavior Services Department, teachers and/or administrators may send behavioral progress reports to parents/guardians on a regular basis until they feel that the student is in control of his/her behavior and working in the classroom successfully.
- **Referral to a Community Based Organization (CBO):** Students may be referred to a community-based organization for a wide range of services including after-school programming, individual or group counseling, leadership development, conflict resolution, and tutoring.
- **Referral to Appropriate Substance Abuse Counseling Services:** In the case where a student is presenting problems with substance abuse, including the use, possession or distribution of illegal drugs, drug paraphernalia, and/or alcohol, referrals should be made to counseling services that are either inside the school or through an outside community-based organization.
- **Referral to Counseling Services for Youth Relationship Abuse or Sexual Violence:** When one person uses a pattern of threatened or actual physical, sexual, and/or emotional abuse to control a student, the school should refer both the victim and the student who engages in this behavior to separate appropriate school or community-based agencies for counseling, support, and education. WSSC will determine whether or not the local police and/or another appropriate agency will be notified. Neither mediation nor conflict resolution are, under any circumstances, appropriate interventions for suspected relationship abuse.
- **Referral to Counseling Services for Bias-Based Bullying, Intimidation or Harassment:** When a student or group of students engages in bias-based bullying, intimidation or harassment of a student or group of students, both the victim(s) and the student(s) who engages in this behavior should be referred to separate appropriate counseling, support and education services provided by school staff or a community-based agency. WSSC will determine whether or not the local police and/or another appropriate agency will be notified. Neither mediation nor conflict resolution are, under any circumstances, appropriate interventions for bias-based bullying, intimidation or harassment.

### **INFRACTIONS AND RANGES OF POSSIBLE DISCIPLINARY RESPONSES**

School officials must consult the Code of Conduct when determining which disciplinary measure to impose. In addition to consulting the Code of Conduct, prior to determining the appropriate disciplinary and/or intervention measures, the following must be considered: the student's

disability, 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 circumstances surrounding the incident leading to the discipline; and the student's IEP and BIP, if applicable. Every reasonable effort should be made to correct student misbehavior through guidance interventions and other school-based resources using the least severe disciplinary responses. Appropriate disciplinary responses should emphasize prevention and effective intervention, prevent disruption to students' education, and promote the development of a positive school culture.

The listed infractions are not all-inclusive. Students who engage in misconduct which is not listed in the Code of Conduct are subject to appropriate disciplinary measures by an administrator, Executive Director, or other designee of the Executive Director based on violation of school rules. To ensure that staff, students and parents are aware of all expected standards of behavior, school rules are contained within the Code of Conduct.

### **LEVELS OF INFRACTIONS**

The Code of Conduct holds students accountable for their behavior. Each level of infraction contains a minimum to a maximum range of possible disciplinary responses that may be imposed by an administrator, the Executive Director, or other designee of the Executive Director. Infractions are grouped into five levels, which range from insubordinate behaviors to seriously dangerous or violent behaviors and provide a corresponding range of possible disciplinary responses.

Whenever possible and appropriate, interventions should begin with the lowest level of disciplinary response. While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students. The Code of Conduct provides graduated penalties for students who engage in repeated inappropriate behaviors despite the prior imposition of appropriate disciplinary measures. More severe penalties will be imposed on those students who engage in a pattern of persistent misconduct that are not a manifestation of their disability. Whenever possible and appropriate, prior to imposing such penalties, school officials should exhaust less severe disciplinary responses and interventions.

### **DISCIPLINARY RESPONSES**

All entries in student records must be made in accordance with regulations regarding confidentiality and the release of student's records. All suspensions must be done substantively and procedurally in accordance with relevant State Education Law and Federal Laws. In accordance with IDEA, a special education student can be unilaterally suspended for up to ten (10) consecutive school days or ten (10) cumulative school days by school authorities without IDEA implications. Any suspension longer than ten (10) consecutive school days or ten (10) cumulative school days in the same academic year will result in a Manifestation Determination

meeting by the CSE to determine whether or not the behavior was a manifestation of the student's disability. The results of this meeting may include reassessment of the student's Behavioral Intervention Plan, a long term suspension, placement in an Interim Alternative Education Setting, or a change of placement.

### **IN-SCHOOL SUSPENSION**

A school administrator has the authority to require a student to serve In-School Suspension. In-School suspensions allow access to a licensed special education teacher, IEP services and accommodations, and therefore does not count towards the ten (10) day exclusion limit.

### **ADMINISTRATOR'S SUSPENSION**

An administrator has the authority to suspend a student for 1-5 days when a student's behavior presents a clear and present danger of physical injury to the student, other students or school personnel, or prevents the orderly operation of classes or other school activities.

### **EXECUTIVE DIRECTOR'S SUSPENSION**

An executive director's suspension may result in a period of suspension from six (6) to ten (10) days when a student's behavior presents a clear and present danger of physical injury to the student, other students or school personnel, or prevents the orderly operation of classes or other school activities.

At any point in the suspension process, if the school believes that a student with a disability will not benefit from reinstatement, the school may initiate referral to the Committee on Special Education for purposes of holding a placement meeting.

### **APPEALS**

Administrator's suspensions of less than five (5) days may be appealed by the student and/or the parent/guardian or designee of the parent/guardian to the Executive Director, or other designee of the Executive Director. Executive Director's suspensions (i.e., suspensions given by the Executive Director or designee of the Executive Director) may be appealed by the student and/or the parent/guardian or designee of the parent/guardian to the Executive Director.

### **BILL OF STUDENT'S RIGHTS AND RESPONSIBILITIES**

#### Preamble

WSSC seeks to cultivate a sense of mutual respect among students, parents, and staff. With the cooperation of all members of the school community, students can reach their fullest potential while enjoying a rich learning experience. This document serves as a guide for students as they strive to become productive citizens in a diverse society.



## I. THE RIGHT TO A FREE PUBLIC SCHOOL EDUCATION

The right to a free and appropriate education is a basic “student right” guaranteed to all students at WSSC.

Students have a right to:

1. attend school and receive a free and appropriate education from age three (3) to age 21 or receipt of an IEP diploma, whichever comes first, as provided by law;
2. be in a safe and supportive learning environment, free from discrimination, harassment, bullying, and bigotry, and to file a complaint if they feel that they are subject to this behavior;
3. receive courtesy and respect from others regardless of actual or perceived age, race, creed, color, gender, gender identity, gender expression, religion, national origin, citizenship/immigration status, weight, sexual orientation, physical and/or emotional condition, disability, marital status, and political beliefs;
4. receive a written copy of the school’s policies and procedures, including the Code of Conduct, early in the school year or upon admission to the school during the school year;
5. be informed about required health, cognitive and language screening examinations;
6. receive professional instruction;
7. be informed of educational/therapeutic progress and receive periodic evaluations both informally and through formal progress reports;
8. access to review their education records upon request, (the right to review records is always accorded the parent/adult in parental relationship and students who are their own guardian);
9. confidentiality in the handling of student records maintained by the school;
10. receive guidance, counseling and advice for personal, social, educational, career and vocational development.

## II. THE RIGHT TO FREEDOM OF EXPRESSION AND PERSON

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 them, in accordance with policies and procedures established by the WSSC.

Students have the right to:

1. organize, promote, and participate in student organizations, social and educational clubs or teams and political, religious, and philosophical groups consistent with the requirements of the Equal Access Act;
2. wear political or other types of buttons, badges or armbands, except where such material is libelous, obscene or materially disrupts the school, causes substantial disorder or invades the rights of others;
3. determine their own dress within appropriate parameters and consistent with religious expression, except where such dress is dangerous or interferes with the learning and teaching process;
4. be secure in their persons, papers, and effects and to carry in the school building personal possessions which are appropriate for use on the premises;
5. be free from unreasonable or indiscriminate searches, including body searches;
6. be free from corporal punishment;
7. decline to participate in the Pledge of Allegiance or stand for the pledge.

### III. THE RIGHT TO DUE PROCESS

Every student has the right to be treated fairly in accordance with the rights set forth in this document.

Students have the right to:

1. be provided with the Code of Conduct;
2. know what is appropriate behavior and what behaviors may result in disciplinary actions;
3. be counseled by members of the professional staff in matters related to their behavior as it affects their education and welfare within the school;
4. know possible dispositions and outcomes for specific offenses;
5. receive written notice of the reasons for disciplinary action taken against them in a timely fashion (notice will be sent home to parent/guardian);
6. due process of law in instances of disciplinary action for alleged violations of school regulations for which they may be suspended or removed from class/activities;
7. appeal the actions and decisions of school officials with respect to their rights and responsibilities as set forth in this document;

8. be accompanied by a parent/adult in parental relationship and/or representative at conferences and hearings;
9. the presence of school staff in situations where there may be police involvement;
10. challenge and receive an explanation in writing of any material entered in their student records.

#### IV. ADDITIONAL RIGHTS OF STUDENTS OVER THE AGE OF 18

1. The federal Family Educational Rights and Privacy Act (“FERPA”) gives students who have reached 18 years of age certain rights with respect to the student’s education records. Students age 18 and over have the right to request, inspect and review their own education records.
2. Students age 18 and over have the right to request that their own education records be changed when they believe they are inaccurate, misleading, or otherwise in violation of their privacy rights under FERPA.
3. All students, including those age 18 and over, have the right to privacy of their personally identifiable information in their own education records, except in certain cases when FERPA allows disclosure without consent, including the following:

A. One exception, which permits disclosure without consent, is disclosure to a school official who needs to review an education record in order to fulfill his or her professional responsibility. Examples of school officials include people employed by the Westchester School for Special Children (such as administrators, supervisors, teachers, other instructors, or support staff members).

B. Another exception, which permits disclosure without consent, is disclosure, upon request, to officials of the student’s school district or a school district in which a student is trying to enroll or plans to enroll, if the disclosure is for purposes of the student’s enrollment or transfer.

4. Students age 18 and over have the right to file a complaint with the U.S. Department of Education if they feel that the Westchester School for Special Children has failed to comply with the requirements of FERPA. The name and address of the Office that administers

FERPA are:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-852

## V. STUDENT RESPONSIBILITIES

Responsible behavior by each student is the only way in which the rights set forth in this document can be preserved. Violation of some of these responsibilities may lead, in accordance with the Code of Conduct, to disciplinary measures. Full acceptance of responsibility with the exercise of rights will provide students with greater opportunity to serve themselves and society.

Students have a responsibility to:

1. attend school regularly and punctually and make every effort to achieve in all areas of their education and related services;
2. be prepared for class with appropriate materials and properly maintain/use school equipment;
3. follow school regulations regarding entering and leaving the classroom and school building, including remaining with a staff member at all times;
4. help maintain a school environment free of weapons, illegal drugs, controlled substances and alcohol;
5. behave in a manner that contributes to a safe learning environment and which does not violate other students' right to learn;
6. share information with school officials regarding matters which may endanger the health and welfare of members of the school community;
7. respect the dignity and equality of others and refrain from conduct which denies or impinges on the rights of others;
8. show respect for school property and respect the property of others, both private and public;
9. be polite, courteous, and respectful toward others regardless of actual or perceived age, race, creed, color, gender, gender identity, gender expression, religion, national origin, citizenship/immigration status, weight, sexual orientation, physical and/or emotional condition, disability, marital status and political beliefs, and refrain from making slurs based on these criteria;
10. behave in a polite, truthful and cooperative manner toward students, teachers and other school staff;
11. promote good human relations and build bridges of understanding among the members of the school community;
12. use non-confrontational methods to resolve conflicts;

13. refrain from obscene and defamatory communication in speech, writing and other modes of expression in their interactions with the school community;
14. express themselves in a manner which promotes cooperation and does not interfere with the educational process;
15. participate in school functions/activities in a peaceful manner and respect the decision of students who do not wish to participate;
16. bring to school only those personal possessions which are safe and do not interfere with the learning environment;
17. be familiar with the Code of Conduct and abide by school rules and regulations;
18. model positive behaviors to encourage fellow students to follow established school policies and practices;
19. keep parents informed of school-related matters, including progress in school, social and educational events

**LEVEL 1 Infractions – Insubordinate Behaviors**

01 Using prohibited equipment or material in school without authorization (e.g., cell phone, beeper, or other electronic communication/entertainment device)

02 Behaving in a manner which disrupts the educational process (e.g., making excessive noise in the school building)

03 Engaging in verbally rude or disrespectful behavior

04 \*Wearing clothing, headgear (e.g., caps or hats), or other items that are unsafe or disruptive to the educational process

05 Using school computers, fax machines, telephones or other electronic equipment or devices without appropriate permission

\* If there is a question regarding whether or not clothing or headgear is representative of religious expression, please contact the Director of Educational Services, Mr. Jay Tabasco, at 914-376-4300 ext 818.

**Range of Possible Guidance Interventions**

- Parent outreach
- Intervention by counseling staff
- Positive Reinforcement for Appropriate Behavior
- Address the issue in mandated or non-mandated/crisis intervention counseling
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to a Community Based Organization (CBO)

**Range of Possible Disciplinary Responses to Be Used in Addition to Counseling Interventions\***

\*While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students.

- Meeting with appropriate staff member(s)
- Parent conference
- In-school disciplinary action (e.g., exclusion from extracurricular activities or choice time)

**LEVEL 2 Infractions – Disorderly Disruptive Behaviors**

06 Smoking and/or possession of matches or lighters

07 Gambling

08 Using profane, obscene, vulgar, lewd or abusive language or gestures

09 Purposefully lying to, giving false information to, and/or misleading school personnel

10 Misusing property belonging to others

11 Engaging in or causing disruptive behavior on the school bus

12 Engaging in inappropriate or unwanted physical contact or touching someone in a private part of their body

**Range of Possible Counseling Interventions**

- Parent outreach
- Intervention by counseling staff
- Positive Reinforcement for Appropriate Behavior
- Address the issue in mandated or non-mandated/crisis intervention counseling
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to a Community Based Organization (CBO)
- Referral to appropriate substance abuse counseling services

**Range of Possible Disciplinary Responses to Be Used in Addition to Counseling Interventions\***

\*While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students.

- Meeting with appropriate staff member(s)



- Parent conference
- In-school disciplinary action (e.g., exclusion from extracurricular activities, free time, or communal lunchtime)

### **LEVEL 3 Infractions – Seriously Disruptive Behavior**

13 Being insubordinate; purposely defying or disobeying school personnel

14 Using slurs based upon actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, religion, gender, gender identity, gender expression, sexual orientation, or disability

15 Shoving, pushing, or engaging in other similar physical behavior towards students or school personnel (e.g., horseplay or pushing past another person), or throwing an object (e.g., chalk) or spitting at another person

16 Knowingly possessing property belonging to another without authorization

17 Engaging in inappropriate or unwanted physical contact or touching someone in a private part of their body, in more than one occasion, even though instructed to stop

18 \*\*Engaging in gang-related behavior (e.g., wearing gang apparel and/or accessories, writing graffiti, making gestures or signs, making threats of group violence, etc...)

19 Engaging in vandalism, graffiti or other intentional damage to school property or property belonging to staff, students or others

20 Posting or distributing libelous material or literature (including posting such material on the Internet)

\*\*In determining the etiology of an event, school officials may use statements given by eye-witnesses, which include but are not limited to school personnel, bus staff, and students.

### **Range of Possible Counseling Interventions**

- Parent outreach
- Intervention by counseling staff
- Positive Reinforcement for Appropriate Behavior
- Address the issue in mandated or non-mandated/crisis intervention counseling
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports

- Referral to a Community Based Organization (CBO)
- Referral to counseling services for youth relationship abuse or sexual violence
- Referral to outside counseling services for bias-based bullying and intimidation

### **Range of Possible Disciplinary Responses to Be Used in Addition to Counseling Interventions\***

\*While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students.

- Student/Parent conference with school staff
- In-school disciplinary actions (e.g., exclusion from extracurricular activities, free time, or communal lunchtime)
- In-School Suspension for 1-3 days
- Administrator's suspension for 1-5 days
- Executive Director's suspension that results in continued suspension for a fixed period of 6-10 school days

### **Supports for Students Transitioning From Suspension**

Students returning from suspension will be provided with supportive services to maximize their ability to meet social and academic standards within the school community. Support services may include any of the range of counseling interventions or a combination of services as best meets the needs of the individual student.

**LEVEL 4 Infractions – Dangerous or Violent Behaviors**

- 21 Posting or distributing, displaying, or sharing literature or material containing a threat of violence, injury or harm, or depicting violent actions against or obscene, vulgar or lewd pictures of students or staff (including posting such material on the Internet)
- 22 Engaging in an altercation and/or physically aggressive behavior, other than horseplay, or other minor altercations, which creates a substantial risk of or results in minor injury
- 23 Engaging in an act of coercion or threatening violence, injury or harm to another or others
- 24 \*Engaging in behavior on the school bus which creates a substantial risk of or results in injury
- 25 Engaging in intimidating and bullying behavior, including cyber-bullying\*\* — threatening, stalking or seeking to coerce or compel a student or staff member to do something; engaging in verbal or physical conduct that threatens another with harm; taunting and/or intimidation including through the use of epithets or slurs involving actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, religion, religious practices, gender, gender identity, gender expression, sexual orientation or disability
- 26 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)
- 27 Possessing controlled substances or prescription medications without appropriate authorization, illegal drugs, drug paraphernalia, and/or alcohol
- 28 Taking or attempting to take property belonging to another or belonging to the school without authorization, without threatening to use force or intimidating behavior.
- 29 Falsely activating a fire alarm or other disaster alarm
- 30 Making a bomb threat
- 31 Creating a substantial risk of serious injury by either recklessly engaging in behavior, and/or using an object that appears capable of causing physical injury (e.g., lighter, belt buckle, umbrella, or laser pointer)
- 32 Causing a serious injury by either recklessly engaging in behavior, and/or using an object that appears capable of causing physical injury (e.g., lighter, belt buckle, umbrella, or laser pointer)
- 33 Starting a fire
- 34 Inciting/causing a riot

35 Possessing or selling any weapon as defined in Category II (see page 26) for which a purpose other than infliction of physical harm exists, e.g., a nail file, an administrator must consider whether there are mitigating factors present.

36 Using controlled substances or prescription medication without appropriate authorization, or using illegal drugs and/or alcohol

37 Engaging in a pattern of persistent Level 3 Infraction behaviors in the same school year (Whenever possible and appropriate, prior to imposing a Level 4 disciplinary response, school officials should have exhausted the disciplinary responses in Level 3. Further, repeated Level 3 infractions are limited to Level 4 disciplinary responses).

\*In cooperation with the bus staff on the district provided school buses, school staff will work to determine the etiology of the event and provide suggestions for the bus staff.

\*\* Engaging in intimidating and bullying behavior through electronic communication, such as texting, e-mail, instant messaging, etc

### **Range of Possible Counseling Interventions**

- Parent outreach
- Intervention by counseling staff
- Positive reinforcement for appropriate behavior
- Address the issue in mandated or non-mandated/crisis intervention counseling
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to a Community Based Organization (CBO)
- Referral to appropriate substance abuse counseling services
- Referral to counseling services for youth relationship abuse or sexual violence
- Referral to counseling services for bias-based bullying, intimidation, or harassment

### **Range of Possible Disciplinary Responses to Be Used in Addition to Counseling Interventions\***

\*While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students.

- Parent/Student conference with school staff
- In-school disciplinary actions (e.g., exclusion from extracurricular activities or communal lunchtime)
- In-School Suspension for 1-3 days
- Administrator's suspension for 1-5 days
- Executive Director's suspension that results in continued suspension for a fixed period of 6-9 school days

### **Supports for Students Transitioning From Suspension**

Students returning from suspension will be provided with supportive services to maximize their ability to meet social and academic standards within the school community. Support services may include any of the range of counseling interventions or a combination of services as best meets the needs of the individual student.

**LEVEL 5 Infractions – Seriously Dangerous or Violent Behavior**

- 38 Threatening to use or using force to take or attempt to take property belonging to another
- 39 Using force against, or inflicting or attempting to inflict serious injury against school personnel
- 40 Using extreme force against or inflicting or attempting to inflict serious injury upon students or others
- 41 Planning, instigating, or participating with another or others, in an incident of group violence
- 42 Engaging in threatening, dangerous or violent behavior that is gang-related
- 43 Engaging in physical sexual aggression/compelling or forcing another to engage in sexual activity
- 44 Selling or distributing illegal drugs or controlled substances and/or alcohol
- 45 Possessing or selling any weapon, other than a firearm, as defined in Category I (see page 25 )
- 46 Using any weapon as defined in Category II to threaten or to attempt to inflict injury upon school personnel, students, or others
- 47 Using any weapon, other than a firearm, as defined in Category I, to threaten or to attempt to inflict injury upon school personnel, students, or others
- 48 Using any weapon, other than a firearm, as defined in Category I or II, to inflict injury upon school personnel, students, or others
- 49 Possessing or using a firearm

**Possible Counseling Interventions**

- Parent outreach
- Intervention by counseling staff
- Individual/group counseling. If the student does not already receive mandated counseling services, a recommendation will be made to the district/parents that services be added to the student's IEP
- Conflict resolution
- Development of individual behavior contract

- Short-term behavioral progress reports
- Referral to a Community Based Organization (CBO)
- Referral to appropriate substance abuse counseling services
- Referral to counseling services for youth relationship abuse or sexual violence
- Referral to counseling services for bias-based bullying, intimidation, or harassment

### **Range of Possible Disciplinary Responses to Be Used in Addition to Counseling Interventions\***

\*While the student's age, disability, and history of behavioral difficulties play a key role in the disciplinary procedures, the Code of Conduct applies to all students.

- Parent/Student conference with school staff
- In-School Suspension for 1-3 school days
- Administrator's suspension for 1-5 school days
- Executive Director's suspension that results in continued suspension for a fixed period of 6-9 school days
- After Manifestation Determination Review (when appropriate), Executive Director's suspension that results in extended suspension for longer than 10 school days
- After Manifestation Determination Review (when appropriate), asking the CSE to reconvene to place the student in an Interim Alternative Educational Setting for 45 school days
- Asking the district to reconvene the CSE to request a change in educational placement.

### **Supports for Students Transitioning From Suspension**

Students returning from suspension will be provided with supportive services to maximize their ability to meet social and academic standards within the school community. Support services may include any of the range of counseling interventions or a combination of services as best meets the needs of the individual student.



**Prohibited Weapons – Category I**

- Firearm, including pistol and handgun, silencers, electronic dart, and stun gun
- Shotgun, rifle, machine gun, or any other weapon which simulates or is adaptable for use as a machine gun
- Air gun, spring gun, or other instrument or weapon in which the propelling force is a spring or air, and any weapon in which any loaded or blank cartridge may be used (such as a BB gun or paintball gun)
- Switchblade knife, gravity knife, pilum ballistic knife and cane sword (a cane that conceals a knife or sword)
- Dagger, stiletto, dirk, razor, box cutter, case cutter, utility knife and all other knives
- Billy club, blackjack, bludgeon, chukka stick, and metal knuckles
- Sandbag and sandclub
- Sling shot (small, heavy weights attached to or propelled by a thong) and slung shot
- Martial arts objects including kung fu stars, nunchucks and shirkens
- Explosives, including bombs, fire crackers and bombshells

**Prohibited Weapons – Category II**

- Acid or dangerous chemicals (such as pepper spray, mace)
- \*Imitation gun or other imitation weapon
- Loaded or blank cartridges and other ammunition
- Stun weapons
- Any deadly, dangerous, or sharp pointed instrument which can be used or is intended for use as a weapon (such as scissors, nail file, broken glass, chains, wire).

\*Before requesting a suspension for possession of an article listed in Category II for which a purpose other than infliction of physical harm exists, e.g., a nail file, an administrator must consider whether there are mitigating factors present. In addition, an administrator must consider whether an imitation gun is realistic looking by considering factors such as its color, size, shape, appearance and weight