Citywide Standards
of Intervention and Discipline Measures

The Discipline Code and Bill of Student Rights and Responsibilities, K-12

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Citywide Standards of Intervention and Discipline (The Discipline Code and Bill of Student Rights and Responsibilities, K-12)
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CITYWIDE STANDARDS OF INTERVENTION AND DISCIPLINE MEASURES

The New York City Department of Education 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 is the Student Bill of Rights and Responsibilities that promotes 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 Citywide Standards of Intervention and Discipline Measures (the Discipline Code) provides a comprehensive description of unacceptable behavior, including incidents involving drugs or weapons. It includes the range of permissible disciplinary and intervention measures which may be used when students engage in such behaviors as well as a range of guidance interventions schools may use to address student behavior. The Discipline Code applies to all students, including those with disabilities.

In providing a range of permissible disciplinary measures, the Discipline Code ensures both consistency and equitable treatment for all students and enables a principal and the Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or the Community Superintendent to exercise discretion and educational judgment. Principals, teachers, school staff, students and parents need to know the disciplinary measures that can be taken when a student misbehaves or substantially disrupts a classroom. Guidance interventions are included because inappropriate behavior or violations of the Discipline Code 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 and respond in a manner that is most supportive of their needs.

The standards set forth in the Discipline Code apply to behavior in school during school hours, before and after school, while on school property, while traveling on vehicles funded by the Department of Education, 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. When misbehavior involves communication, gestures or expressive behavior, the infraction applies to oral, written or electronic communications, including but not limited to texting, e-mailing, and social networking.

School officials are responsible for sharing the information contained in this document with students, staff and parents.

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 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 mitigates against negative behaviors. Examples can include: providing students with meaningful opportunities to share ideas and concerns and participate in schoolwide initiatives; student leadership development; periodic recognition of students' achievements in a range of academic and co-curricular areas; using corrective feedback; and developing schoolwide positive behavior systems. Such opportunities, coupled with a comprehensive guidance 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, counselors and other school staff are expected to engage students, including students with disabilities, in intervention and prevention strategies that address a student's behavioral issues and discuss these strategies with the student and his/her parent. 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; the use of alternate instructional materials and/or methods; enrichment services; alternate class placement; 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. If, at any time, school officials suspect that a student's difficulties may be the result of a disability which may require special education services, the student should be referred immediately to the Committee on Special Education. 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.

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 Discipline Code. 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 maximum consultation and communication between the school and the home. Guidance conferences attended by the principal or his/her designee, a guidance counselor, the student's parent, and one or more of the student's teachers are an effective means of encouraging parental input and should be held with students where appropriate. Parents who want to discuss guidance interventions in response to student behavior should contact their child's school, including the Parent Coordinator, or, if necessary, the Office for Family Engagement and Advocacy.

NOTE: The Principal or the Principal's designee must report all infractions to parents. When a student is believed to have committed a crime, the police must be summoned and parents must be contacted (see Chancellor's Regulation A-412).

ATTENDANCE

School personnel must ensure that appropriate outreach, intervention and support are provided for students who exhibit attendance problems that 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 in order to determine an appropriate course of action which should include, but not be limited to: guidance intervention, referral for counseling, referral to after-school programs, the filing of a Person in Need of Supervision (PINS) Petition in Family Court and referral to the Administration for Children's Services (ACS). The school's Attendance or Pupil Personnel Committee should review cases of truancy and should involve attendance teachers, deans, guidance counselors, teachers, social workers and other school staff in facilitating a resolution to address the pattern of truancy. Cases of suspected educational neglect must be called into the New York State Central Register in compliance with Chancellor's Regulation A-750, Section 1.5.

GUIDANCE INTERVENTIONS

To promote positive behavior schools provide a range of prevention and intervention strategies and support services for students during and/or after school hours throughout the school year. When a student engages in misconduct, the Discipline Code provides a non-exhaustive list of guidance interventions that should be considered based on the type of behavior in which a student has engaged. Guidance interventions should be employed as part of a comprehensive response and students should receive support services at all stages of the disciplinary process, including while on extended suspension. Support services may include any of the interventions or a combination of services that best meet the needs of the individual student. Students returning from suspension should be provided with support services to maximize their ability to meet the school community's social and academic standards. When used consistently and appropriately, guidance interventions help improve student behavior, lower recidivism and contribute to a more positive school environment.

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

The guidance interventions are listed next to the disciplinary responses on each page and are further defined below.

TYPES OF GUIDANCE 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:** Where available, school-based counseling personnel and/or School-Based Mental Health programs offer a wide range of comprehensive and confidential mental health services and interventions including, but not limited to: assessments, individual, group and family therapy, teacher consultations, educational strategies for parents and staff.
- **Guidance Conference:** Principals and teachers may request a guidance conference with the student and, where appropriate, with the parent or guardian. 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.
- **Restorative Approaches:** Restorative approaches can help schools prevent or deal with conflict before it escalates; build relationships and empower community members to take responsibility for the well being of others; increase the pro-social skills of those who have harmed others; address underlying factors that lead youth to engage in inappropriate behavior and build resiliency; provide wrong doers with opportunities to be accountable to those they have harmed and enable them to repair the harm to the extent possible. These approaches include restorative enquiry, restorative discussion, restorative circles, mediation and formal restorative conferences.
- **Individual/Group Counseling:** Counseling provides students with an outlet to share issues in privacy 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. Counselors will conference with parents on a regular basis to discuss the student's academic and personal progress.
- **Peer Mediation:** Peer mediators help classmates identify the problems behind their behavior and find solutions to these problems. Conflict resolution skills are incorporated into the strategies used by peer mediators so that all students involved learn new ways of handling conflict.
- **Mentoring Program:** A mentoring program matches a mentor who may be a counselor, teacher, student and/or leader with a protégé. The object of this relationship is to help the protégé in his/her personal, academic and social development.
- **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 teachers 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, where appropriate, by the parent or guardian.
- **Short-Term Behavioral Progress Reports:** Teachers and/or principals 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 PPT (Pupil Personnel Team):** Pupil Personnel Teams are school-based teams that utilize a multidisciplinary approach to encourage student success through prevention and intervention strategies and supports. A case manager is identified for each student referral so that an individualized plan can be created to help students overcome their academic and/or socio-emotional difficulties.

- **Community Service (with Parental Consent):** Students may be provided with community service opportunities so that they gain a greater appreciation of their school neighborhoods and develop skills to become positive social change agents. Community service can help students occupy their time with positive activities, avoid negative behavior and learn the value of service to others.
- **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 dating partner, 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. 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 another student or group of students, both the victim and the student 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. 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 Discipline Code when determining which disciplinary measure to impose. **In addition to consulting the Discipline Code, prior to determining the appropriate disciplinary and/or intervention measures, the following must be considered:** 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 circumstances surrounding the incident leading to the discipline; and the student's IEP, BIP and 504 Accommodation Plan, if applicable. Every reasonable effort should be made to correct student misbehavior through guidance interventions and other school-based resources and 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 enumerated infractions are not all-inclusive. Students who engage in misconduct which is not listed are subject to appropriate disciplinary measures by the teacher, principal or the Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or Community Superintendent based on violation of school rules. To ensure that staff, students and parents are aware of all expected standards of behavior, school rules must be in writing and distributed along with the Discipline Code.

LEVELS OF INFRACTIONS

The Citywide Standards of Discipline 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 a teacher, principal, the Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or Community Superintendent. 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. Clear distinctions are made for levels of behavior for grades K–5 and 6-12 so that the age and general maturity of the student are considered. Some infractions may not apply to students in grades K–3. The Discipline Code provides graduated penalties for students who engage in repeated misbehaviors 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. Whenever possible and appropriate, prior to imposing such penalties, school officials should exhaust less severe disciplinary responses.

DISCIPLINE PROCEDURES

All entries in student records must be made in accordance with Chancellor's Regulation A-820. All suspensions and removals from the classroom must be done substantively and procedurally in accordance with relevant Regulations of the Chancellor, State Education Law and Federal Laws. (Note: Student discipline procedures for summer school vary from those used during the regular school year and are issued separately.)

APPEALS

In accordance with Chancellor's Regulation A-443, principals' suspensions may be appealed to the Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor, and superintendents' suspensions (i.e., suspensions imposed by the Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or by the Community Superintendent) may be appealed to the Chancellor.

CHANCELLOR'S REGULATIONS

All Chancellor's Regulations may be found at www.nyc.gov/schools/RulesPolicies/ChancellorsRegulations.

Suspensions of more than five days may be imposed for students in all schools by the Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor, or for students in elementary and middle schools by the Community Superintendent. For ease of reference, the term "superintendent's suspension" is used throughout this document to denote both suspensions imposed by the Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor and suspensions imposed by the Community Superintendent.

PREAMBLE

New York City public schools seek to cultivate a sense of mutual respect among students, parents and staff. City schools also aim to involve students in activities and programs, within and outside the school community, that stress a commitment to civic responsibility and community service. With the cooperation of all members of our school communities, students can reach educational excellence 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

While public schools serve many age groups whose rights may differ according to their levels of maturity, the right to a free public school education is a basic "student right" guaranteed to all children.

Students have a right to:

1. attend school and receive a free public school education from kindergarten to age 21 or receipt of a high school diploma, whichever comes first, as provided by law; students who have been determined to be English Language Learners are entitled to bilingual education or English as a second language program as provided by law; students with disabilities who have been determined to be in need of special education are entitled to a free appropriate public education from age 3 until age 21, 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 (see Chancellor's Regulations A-830, A-831 and A-832);
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, 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 Discipline Code and the New York City Department of Education Bill of Student Rights and Responsibilities, early in the school year or upon admission to the school during the school year;
5. be informed about diploma requirements, including courses and examinations and information on assistance to meet those requirements;
6. be informed about required health, cognitive and language screening examinations;
7. be informed about courses and programs that are available in the school and the opportunity to have input in the selection of elective courses;

8. receive professional instruction;
9. know the grading criteria for each subject area and/or course offered by the school and to receive grades for school work completed based on established criteria;
10. be informed of educational progress and receive periodic evaluations both informally and through formal progress reports;
11. be notified in a timely manner of the possibility of being held over in the grade or of failing a course;
12. be notified of the right of appeal regarding holdover or failing grades;
13. access to review their education records upon request, if in high school (the right to review records is always accorded the parent/adult in parental relationship and eligible student);
14. confidentiality in the handling of student records maintained by the school system;
15. request or by parental request to have their contact information withheld from institutions of higher learning and/or military recruiters;
16. 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 New York City Department of Education.

Students have the right to:

1. organize, promote and participate in a representative form of student government;
2. 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;
3. representation on appropriate schoolwide committees that influence the educational process, with voting rights where applicable;
4. publish school newspapers and school newsletters reflecting the life of the school and expressing student concerns and points of view consistent with responsible journalistic methods and subject to reasonable regulations based on legitimate pedagogical concerns;
5. circulate newspapers, literature or political leaflets on school property, subject to reasonable guidelines established by the school regarding time, place and manner of distribution, except where such material is libelous, obscene, commercial or materially disrupts the school, causes substantial disorder or invades the rights of others;
6. 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;
7. post bulletin board notices within the school, subject to reasonable guidelines established by the school, except where such notices are libelous, obscene, commercial or materially disrupt the school, cause substantial disorder or invade the rights of others;

8. determine their own dress within the parameters of the Department of Education policy on school uniforms and consistent with religious expression, except where such dress is dangerous or interferes with the learning and teaching process;
9. 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;
10. be free from unreasonable or indiscriminate searches, including body searches;
11. be free from corporal punishment (as per Chancellor's Regulations A-420 and A-421);
12. 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 Discipline Code and rules and regulations of the school;
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;
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 by their teachers;
7. know the procedures for appealing 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 explain in writing any material entered in their student records.

IV. ADDITIONAL RIGHTS OF STUDENTS AGE 18 AND OVER

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 within 45 days of the day the New York City Department of Education receives the student's request, in accordance with the procedures set forth in Chancellor's Regulation A-820.

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, in accordance with the procedures set forth in Chancellor's Regulation A-820.

Students 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**:

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 New York City Department of Education (such as administrators, supervisors, teachers, other instructors, or support staff members), as well as people whom the New York City Department of Education has engaged to perform services or functions it would otherwise use its own employees to perform (such as agents, contractors and consultants).

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

Students age 18 and over have the right to file a complaint with the U.S. Department of Education if they feel that the New York City Department of Education 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 Discipline Code, 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;
2. be prepared for class with appropriate materials and properly maintain textbooks and other school equipment;

3. follow school regulations regarding entering and leaving the classroom and school building;
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, 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. participate and vote in student government elections;
14. provide positive leadership by making student government a meaningful forum to encourage maximum involvement;
15. work with school staff in developing broad extracurricular programs in order to represent the range of physical, social and cultural interests and needs of students;
16. observe ethical codes of responsible journalism;
17. refrain from obscene and defamatory communication in speech, writing and other modes of expression in their interactions with the school community;
18. express themselves in a manner which promotes cooperation and does not interfere with the educational process;
19. assemble in a peaceful manner and respect the decision of students who do not wish to participate;
20. bring to school only those personal possessions which are safe and do not interfere with the learning environment;
21. adhere to the guidelines established for dress and activities in the school gymnasium, physical education classes, laboratories and shops;
22. be familiar with the school Discipline Code and abide by school rules and regulations;
23. provide leadership to encourage fellow students to follow established school policies and practices;
24. keep parents informed of school-related matters, including progress in school, social and educational events, and ensure that parents receive communications that are provided by school staff to students for transmittal to their parents.

Kindergarten-Grade 5 LEVEL 1

Infractions – Insubordinate Behaviors

A01 Unexcused absence from school (A-D only)

A02 Failing to wear the required school uniform (applies only to students in schools that have adopted a school uniform policy and whose parents have not secured an exemption) (A and/or D only)

A03 Being late for school

A04 Bringing prohibited equipment or material to school without authorization (e.g., cell phone, beeper, or other electronic communication/entertainment device)

A05 Failing to be in one's assigned place on school premises

A06 Behaving in a manner which disrupts the educational process (e.g., making excessive noise in a classroom, library or hallway)

A07 Engaging in verbally rude or disrespectful behavior

A08 *Wearing clothing, headgear (e.g., caps or hats), or other items that are unsafe or disruptive to the educational process

A09 Posting or distributing material on school premises in violation of written Department of Education policy and/or school rules

A10 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, the school should contact the Youth Development Liaison in the CFN.

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- Referral to a Community Based Organization (CBO)

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

A. Admonishment by pedagogical school staff

B. Student/teacher conference

C. Reprimand by appropriate supervisor (e.g., assistant principal, principal)

D. Parent conference

E. In-school disciplinary action (e.g., exclusion from extracurricular activities, recess or communal lunchtime)

F. Removal from classroom by teacher (After a student is removed from any classroom by any teacher three times during a semester or twice in a trimester, a principal's suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a teacher.)

Infractions – Disorderly Disruptive Behaviors

A11 Smoking and/or possession of matches or lighters (A-D only)

A12 Gambling

A13 Using profane, obscene, vulgar, lewd or abusive language or gestures

A14 Lying to, giving false information to, and/or misleading school personnel

A15 Misusing property belonging to others

A16 Engaging in or causing disruptive behavior on the school bus

A17 Leaving class or school premises without permission of supervising school personnel

A18 Engaging in inappropriate or unwanted physical contact or touching someone in a private part of body. (For grades K-3 only; see Infraction A28 for grades 4-5. For shoving, pushing, etc., see A24.)

A19 Violating the Department's Internet Use Policy (e.g., use of the Department's system for non-educational purposes, security/privacy violations)

A20 Engaging in scholastic dishonesty which includes but is not limited to:

a. 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 unadministered test; substituting for another student or permitting another student to substitute for one's self to take a 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)

b. 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) (grades 4-5 only)

c. Colluding (engaging in fraudulent collaboration with another person in preparing written work for credit)

A21 *Engaging in a pattern of persistent Level 1 behavior in the same school year (Whenever possible and appropriate, prior to imposing a Level 2 disciplinary response, school officials should have exhausted the disciplinary responses in Level 1. Further, repeated Level 1 infractions are limited to Level 2 disciplinary responses.)

* This applies only to infractions A04-A10 in Level 1, grades K-5.

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

A. Admonishment by pedagogical school staff

B. Student/teacher conference

C. Reprimand by appropriate supervisor (e.g., assistant principal, principal)

D. Parent conference

E. In-school disciplinary actions (e.g., exclusion from extracurricular activities, recess or communal lunchtime)

F. Removal from classroom by teacher (After a student is removed from any classroom by any teacher three times during a semester or twice in a trimester, a principal's suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a teacher.)

G. Principal's suspension

Kindergarten-Grade 5 LEVEL 3

Infractions – Seriously Disruptive Behavior

A22 Being insubordinate; defying or disobeying the lawful authority of school personnel or school safety agents

A23 Using slurs based upon actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, religion, gender, gender identity, gender expression, sexual orientation, or disability

A24 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 (for fighting use A34)

A25 Bringing unauthorized visitors to school or allowing unauthorized visitors to enter school in violation of written school rules

A26 Knowingly possessing property belonging to another without authorization

A27 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

A28 Engaging in inappropriate or unwanted physical contact or touching someone in a private part of body. (For grades 4-5 only; see Infraction A18 for grades K-3. For shoving, pushing, etc., use A24.)

A29 *Engaging in gang-related behavior (e.g., wearing gang apparel and/or accessories, writing graffiti**, making gestures or signs) (grades 4-5 only) (D-I only)

A30 **Engaging in vandalism, graffiti or other intentional damage to school property or property belonging to staff, students or others (C-I only)

A31 Posting or distributing libelous material or literature (including posting such material on the Internet)

A32 ***Engaging in a pattern of persistent Level 2 behavior in the same school year (Whenever possible and appropriate, prior to imposing a Level 3 disciplinary response, school officials should have exhausted the disciplinary responses in Level 2. Further, repeated Level 2 infractions are limited to Level 3 disciplinary responses.) (D-I only)

* In determining whether the behavior is gang related, school officials may consult with the Office of School and Youth Development's Gang Unit.

** If there is substantial damage to property requiring extensive repair, the superintendent may extend the suspension for 30-90 school days with an automatic review for early reinstatement after 30 or 60 school days.

***This applies only to infractions A11-A21 in Level 2, grades K-5.

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

A. Admonishment by pedagogical school staff

B. Student/teacher conference

C. Reprimand by appropriate supervisor (e.g., assistant principal, principal)

D. Parent conference

E. In-school disciplinary actions (e.g., exclusion from extra-curricular activities, recess or communal lunchtime)

F. Removal from classroom by teacher (After a student is removed from any classroom by any teacher three times during a semester or twice in a trimester, a principal's suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a teacher.)

G. Principal's suspension

H. Superintendent's suspension that results in immediate reinstatement

I. **Superintendent's suspension that results in continued suspension for a fixed period of 6-10 school days

Infractions – Dangerous or Violent Behaviors

A33 Posting or distributing 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) (D-I only)

A34 Engaging in an altercation and/or physically aggressive behavior, other than horseplay, which creates a substantial risk of or results in minor injury

A35 Engaging in an act of coercion or threatening violence, injury or harm to another or others

A36 *Engaging in behavior on the school bus which creates a substantial risk of or results in injury (G-J only)

A37 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, religion, religious practices, gender, gender identity, gender expression, sexual orientation or disability

A38 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) (for grades 4-5 only)

A39 Possessing controlled substances without appropriate authorization, illegal drugs, drug paraphernalia, and/or alcohol

* Students may be excluded from the bus as per Chancellor's Regulation A-801.

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

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

D. Parent conference

E. In-school disciplinary actions (e.g., exclusion from extracurricular activities, recess or communal lunchtime)

F. Removal from classroom by teacher (After a student is removed from any classroom by any teacher three times during a semester or twice in a trimester, a principal's suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a teacher.)

G. Principal's suspension

H. Superintendent's suspension that results in immediate reinstatement

I. Superintendent's suspension that results in continued suspension for a fixed period of 6-10 school days

J. Superintendent's suspension that results in extended suspension for 30 to 90 school days with an automatic review for early reinstatement after 30 or 60 school days

Kindergarten-Grade 5 LEVEL 4 continued

Infractions – Dangerous or Violent Behavior

A40 Taking or attempting to take property belonging to another without authorization

A41 Falsely activating a fire alarm or other disaster alarm (D-I only)

A42 Making a bomb threat (D-I only)

A43 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, or umbrella)

A44 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, or umbrella)

A45 Starting a fire (G-J only)

A46 Inciting/causing a riot (G-J only)

A47 *Possessing or selling any weapon as defined in Category II (G-J only)

A48 Using controlled substances without appropriate authorization, or using illegal drugs and/or alcohol (G-J only)

A49 Engaging in a pattern of persistent Level 3 behavior 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.)

* 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, the principal must consider whether there are mitigating factors present. In addition, the principal must consider whether an imitation gun is realistic looking by considering factors such as its color, size, shape, appearance and weight.

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

D. Parent conference

E. In-school disciplinary actions (e.g., exclusion from extracurricular activities, recess or communal lunchtime)

F. Removal from classroom by teacher (After a student is removed from any classroom by any teacher three times during a semester or twice in a trimester, a principal's suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a teacher.)

G. Principal's suspension

H. Superintendent's suspension that results in immediate reinstatement

I. Superintendent's suspension that results in continued suspension for a fixed period of 6-10 school days

J. Superintendent's suspension that results in extended suspension for 30 to 90 school days with an automatic review for early reinstatement after 30 or 60 school days

Infractions – Seriously Dangerous or Violent Behavior

A50 Threatening to use or using force to take or attempt to take property belonging to another

A51 Using force against, or inflicting or attempting to inflict serious injury against school personnel or school safety agents (I-J only)

A52 Using extreme force against or inflicting or attempting to inflict serious injury upon students or others (I-J only)

A53 Planning, instigating, or participating with another or others, in an incident of group violence

A54 *Engaging in threatening, dangerous or violent behavior that is gang-related

A55 Engaging in physical sexual aggression/compelling or forcing another to engage in sexual activity (grades 4-5 only) (I-J only)

A56 Selling or distributing illegal drugs or controlled substances and/or alcohol (I-J only)

A57 Possessing or selling any weapon, other than a firearm, as defined in Category I (I-J only)

A58 Using any weapon as defined in Category II to threaten or to attempt to inflict injury upon school personnel, students, or others (I-J only)

A59 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

A60 Using any weapon, other than a firearm, as defined in Category I or II, to inflict injury upon school personnel, students, or others

A61 **Possessing or using a firearm (L only)

* In determining whether the behavior is gang-related, school officials may consult with the Office of School and Youth Development's Gang Unit.

** This disciplinary measure may be modified on a case-by-case basis.

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

I. Superintendent's suspension that results in continued suspension for a fixed period of 6-10 school days

J. Superintendent's suspension that results in extended suspension for 30 to 90 school days with an automatic review for early reinstatement after 30 or 60 school days

K. Superintendent's suspension that results in a one year suspension and assignment to an alternative program, with an automatic review for early reinstatement after 6 months

L. Superintendent Suspension that results in a one year suspension and assignment to an alternative program, without the opportunity to petition for early reinstatement

Grade 6-12 LEVEL 1

Infractions – Insubordinate Behaviors

B01 Unexcused absence from school (A-D only)

B02 Failing to wear the required school uniform (applies only to students in grades 6-12 in schools that have adopted a school uniform policy and whose parents have not secured an exemption) (A-D only)

B03 Cutting classes (reporting to school and failing to attend one or more programmed classes)

B04 Being late for school or class

B05 Bringing prohibited equipment or material to school without authorization (e.g., cell phone, beeper, or other electronic communication/entertainment devices)

B06 Failing to be in one's assigned place on school premises

B07 Behaving in a manner which disrupts the educational process (e.g., making excessive noise in a classroom, library or hallway)

B08 Engaging in verbally rude or disrespectful behavior

B09 *Wearing clothing, headgear (e.g., caps or hats), or other items that are unsafe or disruptive to the educational process

B10 Posting or distributing material on school premises in violation of written Department of Education policy and/or school rules

B11 Failing to provide school officials with required identification

B12 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, the school should contact the Youth Development Liaison in the CFN.

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- Referral to a Community Based Organization (CBO)

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

A. Admonishment by pedagogical school staff

B. Student/teacher conference

C. Reprimand by appropriate supervisor (e.g., assistant principal, principal)

D. Parent conference

E. In-school disciplinary action (e.g., detention, exclusion from extracurricular activities, recess or communal lunchtime)

F. Removal from classroom by teacher (After a student is removed from any classroom by any teacher three times during a semester or twice in a trimester, a principal's suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a teacher.)

Grade 6-12 LEVEL 2

Infractions – Disorderly Disruptive Behaviors

B13 Smoking and/or possession of matches or lighters (A-D only)

B14 Gambling

B15 Using profane, obscene, vulgar, lewd, or abusive language or gestures

B16 Lying to, giving false information to, and/or misleading school personnel

B17 Misusing property belonging to others

B18 Engaging in or causing disruptive behavior on the school bus

B19 *Engaging in a pattern of persistent Level 1 behavior in the same school year (Whenever possible and appropriate, prior to imposing a Level 2 disciplinary response, school officials should have exhausted the disciplinary responses in Level 1. Further, repeated Level 1 infractions are limited to Level 2 disciplinary responses.)

* This applies only to infractions B05-B12 in Level 1, grades 6-12.

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

A. Admonishment by pedagogical school staff

B. Student/teacher conference

C. Reprimand by appropriate supervisor (e.g., assistant principal, principal)

D. Parent conference

E. In-school disciplinary action (e.g., detention, exclusion from extracurricular activities, recess or communal lunchtime)

F. Removal from classroom by teacher (After a student is removed from any classroom by any teacher three times during a semester or twice in a trimester, a principal's suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a teacher.)

G. Principal's suspension

Grade 6-12 LEVEL 3

Infractions – Seriously Disruptive Behavior

B20 Leaving class or school premises without permission of supervising school personnel

B21 Being insubordinate; defying or disobeying the lawful authority of school personnel or school safety agents

B22 Entering or attempting to enter a school building without authorization

B23 Using slurs based upon actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, religion, gender, gender identity, gender expression, sexual orientation, or disability (C-I only)

B24 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 (C-I only) (for fighting use B37)

B25 Bringing unauthorized visitors to school or allowing unauthorized visitors to enter school in violation of written school rules

B26 *Engaging in gang-related behavior (e.g., wearing gang apparel and/or accessories, writing graffiti**, making gestures or signs) (D-I only)

B27 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

B28 **Engaging in vandalism, graffiti or other intentional damage to school property or property belonging to staff, students or others (D-I only)

B29 Knowingly possessing property belonging to another without authorization

* In determining whether the behavior is gang-related, school officials may consult with the Office of School and Youth Development's Gang Unit.

** If there is substantial damage to property requiring extensive repair, the superintendent may extend the suspension for 30-90 school days with an automatic review for early reinstatement after 30 or 60 school days.

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

A. Admonishment by pedagogical school staff

B. Student/teacher conference

C. Reprimand by appropriate supervisor (e.g., assistant principal, principal)

D. Parent conference

E. In-school disciplinary action (e.g., detention, exclusion from extracurricular activities, recess or communal lunchtime)

F. Removal from classroom by teacher (After a student is removed from any classroom by any teacher three times during a semester or twice in a trimester, a principal's suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a teacher.)

G. Principal's suspension

H. Superintendent's suspension that results in immediate reinstatement

I. **Superintendent's suspension that results in continued suspension for a fixed period of 6-10 school days

Infractions – Seriously Disruptive Behavior

B30 Engaging in sexual conduct on school premises or at school-related functions

B31 Violating the Department's Internet Use Policy (e.g., use of the Department's system for non-educational purposes, security/privacy violations)

B32 Engaging in scholastic dishonesty which includes but is not limited to:

a. 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 unadministered test; substituting for another student or permitting another student to substitute for one's self to take a 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)

b. 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)

c. Colluding (engaging in fraudulent collaboration with another person in preparing written work for credit)

B33 Posting or distributing libelous material or literature (including posting such material on the Internet)

B34 Engaging in a pattern of persistent Level 2 behavior in the same school year (Whenever possible and appropriate, prior to imposing a Level 3 disciplinary response, school officials should have exhausted the disciplinary responses in Level 2. Further, repeated Level 2 infractions are limited to Level 3 disciplinary responses.)

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

A. Admonishment by pedagogical school staff

B. Student/teacher conference

C. Reprimand by appropriate supervisor (e.g., assistant principal, principal)

D. Parent conference

E. In-school disciplinary actions (e.g., detention, exclusion from extracurricular activities, recess or communal lunchtime)

F. Removal from classroom by teacher (After a student is removed from any classroom by any teacher three times during a semester or twice in a trimester, a principal's suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a teacher.)

G. Principal's suspension

H. Superintendent's suspension that results in immediate reinstatement

I. Superintendent's suspension that results in continued suspension for a fixed period of 6-10 school days

Grade 6-12 LEVEL 4

Infractions – Dangerous or Violent Behavior

B35* 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)

B36* Posting or distributing 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

B37* Engaging in an altercation and/or physically aggressive behavior, other than horseplay, which creates a substantial risk of or results in minor injury (G-J only)

B38* Engaging in an act of coercion or threatening violence, injury or harm to another or others

B39* **Engaging in or causing disruptive behavior on the school bus which creates a substantial risk of or results in injury

B40* 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, religion, religious practices, gender, gender identity, gender expression, sexual orientation or disability

B41* Possessing controlled substances without appropriate authorization, illegal drugs, drug paraphernalia, and/or alcohol

B42* Falsely activating a fire alarm or other disaster alarm (D-J only)

B43* Making a bomb threat (D-L only)

* For infractions B35-B43 only, the range of disciplinary responses extends from D-M.

** Students may also be excluded from the bus as per Chancellor's Regulation A-801.

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

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidane Interventions

D. Parent conference

E. In-school disciplinary actions (e.g., detention, exclusion from extracurricular activities, recess or communal lunchtime)

F. Removal from classroom by teacher (After a student is removed from any classroom by any teacher three times during a semester or twice in a trimester, a principal's suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a teacher.)

G. Principal's suspension

H. Superintendent's suspension that results in immediate reinstatement

I. Superintendent's suspension that results in continued suspension for a fixed period of 6-10 school days

J. Superintendent's suspension that results in extended suspension for 30 to 90 school days with an automatic review for early reinstatement after 30 or 60 school days

K. Superintendent's suspension that results in a one year suspension and assignment to an alternative program with an automatic review for reinstatement after 6 months

L. Superintendent's suspension that results in a one year suspension and assignment to an alternative program without the opportunity for early reinstatement

M. Expulsion (only for general education students who turned 17 prior to the beginning of the school year, which is July 1)

Infractions – Dangerous or Violent Behavior

B44 Taking or attempting to take property belonging to another without authorization (G-J only)

B45 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, or umbrella)

B46 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, or umbrella)

B47 Starting a fire

B48 Inciting/causing a riot

B49 *Possessing or selling any weapon as defined in Category II

B50 Using controlled substances without appropriate authorization, or using illegal drugs and/or alcohol

B51 **Engaging in a pattern of persistent Level 3 behavior 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.) (G-J only)

* 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, the principal must consider whether there are mitigating factors present. In addition, the principal must consider whether an imitation gun is realistic looking by considering factors such as its color, size, shape, appearance and weight.

** This applies only to infractions B21-B33 in Level 3, grades 6-12.

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

G. Principal's suspension

H. Superintendent's suspension that results in immediate reinstatement

I. Superintendent's suspension that results in continued suspension for a fixed period of 6-10 school days

J. Superintendent's suspension that results in extended suspension for 30 to 90 school days with an automatic review for early reinstatement after 30 or 60 school days

K. Superintendent's suspension that results in a one year suspension and assignment to an alternative program with an automatic review for reinstatement after 6 months

L. Superintendent's suspension that results in a one year suspension and assignment to an alternative program without the opportunity for early reinstatement

M. Expulsion (only for general education students who turned 17 prior to the beginning of the school year, which is July 1)

Grade 6-12 LEVEL 5

Infractions – Seriously Dangerous or Violent Behavior

B52 Threatening to use or using force to take or attempt to take property belonging to another

B53 Using force against, or inflicting or attempting to inflict serious injury against school personnel or school safety agents

B54 Using extreme force against or inflicting or attempting to inflict serious injury upon students or others

B55 Planning, instigating, or participating with another or others, in an incident of group violence

B56 *Engaging in threatening, dangerous or violent behavior that is gang-related

B57 Engaging in physical sexual aggression/compelling or forcing another to engage in sexual activity

B58 Selling or distributing illegal drugs or controlled substances and/or alcohol

B59 Possessing or selling any weapon, other than a firearm, as defined in Category I

B60 Using any weapon as defined in Category II to threaten or to attempt to inflict injury upon school personnel, students, or others

B61 **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 (L for students who have not completed the school year in which they turned 17, M for general education students who have completed the school year in which they turned 17)

B62 **Using any weapon, other than a firearm, as defined in Category I or II, to inflict injury upon school personnel, students, or others (L for students who have not completed the school year in which they turned 17, M for general education students who have completed the school year in which they turned 17)

B63 **Possessing or using a firearm (L for students who have not completed the school year in which they turned 17, M for general education students who have completed the school year in which they turned 17)

* In determining whether the behavior is gang-related, school officials may consult with the Office of School and Youth Development's Gang Unit.

** This disciplinary measure may be modified on a case-by-case basis.

Guidance Interventions

- Parent outreach
- Intervention by counseling staff
- Guidance conference(s)
- Restorative Approaches
- Positive Behavioral Interventions and Supports (PBIS)
- Individual/group counseling
- Peer mediation
- Mentoring program
- Conflict resolution
- Development of individual behavior contract
- Short-term behavioral progress reports
- Referral to PPT (Pupil Personnel Team)
- Community service (with parental consent)
- 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

Supports for Students Transitioning From Suspension

Students returning from suspension should 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 guidance interventions or a combination of services as best meets the needs of the individual student.

Range of Possible Disciplinary Responses to Be Used in Addition to Guidance Interventions

I. Superintendent's suspension that results in continued suspension for a fixed period of 6-10 school days

J. Superintendent's suspension that results in extended suspension for 30 to 90 school days with an automatic review for early reinstatement after 30 or 60 school days

K. Superintendent's suspension that results in a one year suspension and assignment to an alternative program with an automatic review for reinstatement after 6 months

L. Superintendent's suspension that results in a one year suspension and assignment to an alternative program without the opportunity for early reinstatement

M. Expulsion (only for general education students who turned 17 prior to the beginning of the school year, which is July 1)

PROHIBITED WEAPONS

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, chucka 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 pens or other stun weapons
- Laser beam pointers
- 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, the principal must consider whether there are mitigating factors present. In addition, the principal must consider whether an imitation gun is realistic looking by considering factors such as its color, size, shape, appearance and weight.

DISCIPLINARY RESPONSES

The following discipline responses must be effectuated in accordance with all the procedural requirements of Chancellor's Regulation A-443.

REMOVAL FROM A CLASSROOM BY A TEACHER

A student who engages in behavior which is substantially disruptive of the education process or substantially interferes with a teacher's authority over the classroom may be removed from the classroom by the teacher for 1-4 days.

Removed students will be sent to a location within the school where they will be provided with continued educational services including classwork and homework.

After a student is removed from any classroom by any teacher three (3) times during a semester or two (2) times during a trimester, a principal's suspension must be sought if the student engages in subsequent misbehavior that would otherwise result in a removal by a teacher.

PRINCIPAL'S SUSPENSION

A principal 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.

Suspended students must be provided with alternate instruction including homework and classwork.

SUPERINTENDENT'S SUSPENSION

A superintendent's suspension may result in a period of suspension that exceeds five days. A student who receives a superintendent's suspension must be provided with the opportunity for a hearing at which the student has the opportunity to present evidence and witnesses on his/her behalf and to question the school's witnesses. If the school proves the charges and the suspension is upheld, the Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or the Community Superintendent may impose one of the following:

- IMMEDIATE REINSTATEMENT

  The Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or the Community Superintendent may reinstate the student to the suspending school immediately following the decision to uphold the suspension.

- CONTINUED SUSPENSION FOR A FIXED PERIOD OF 6-10 SCHOOL DAYS

  The Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or the Community Superintendent may continue the student's suspension from school for a fixed period of 6-10 school days during which the student receives alternate education at a location that may be outside the school building. At the end of the suspension period the student must be reinstated to his/her original school.

- EXTENDED SUSPENSION FOR 30-90 SCHOOL DAYS WITH AN AUTOMATIC REVIEW FOR EARLY REINSTATEMENT AFTER 30 or 60 SCHOOL DAYS

  The Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or the Community Superintendent may order that a student be suspended for 30-90 school days and reassigned to an alternate instructional site with an automatic review for early reinstatement after 30 or 60 school days, for suspensions longer than 30 days. In determining the date upon which the student is reinstated, the Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or the Community Superintendent shall, to the extent possible, consider the school calendar in order to ensure instructional continuity. If early reinstatement is not granted, the student will remain in the alternate instruction site for the remainder of the suspension, and must be reinstated to the suspending school at the termination of the suspension.

- ONE YEAR SUSPENSION AND ASSIGNMENT TO AN ALTERNATE INSTRUCTIONAL PROGRAM, WITH AN AUTOMATIC REVIEW FOR EARLY REINSTATEMENT AFTER 6 MONTHS

  The Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or Community Superintendent may order that a student be suspended for one year and reassigned to an alternate instructional site, with an automatic review for early reinstatement to the suspending school after 6 months.

  If early reinstatement is not granted, the student will remain in the alternate instructional site for the remainder of the suspension, and must be reinstated to the suspending school at the termination of the suspension.

- ONE YEAR SUSPENSION AND ASSIGNMENT TO AN ALTERNATE INSTRUCTIONAL PROGRAM, WITHOUT THE POSSIBILITY FOR EARLY REINSTATEMENT

  The Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or the Community Superintendent may suspend a student for one year without the opportunity to petition for early reinstatement. Students must be placed in an alternate instructional site for the year. At the termination of the one-year period, the student will be reinstated to the school from which he/she was suspended.

- EXPULSION (ONLY FOR GENERAL EDUCATION STUDENTS WHO TURNED 17 PRIOR TO THE BEGINNING OF THE SCHOOL YEAR, WHICH IS JULY 1)

  The Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or the Community Superintendent may expel a student from the New York City Public School system only if the student is in general education and turned 17 prior to the beginning of the school year.

TRANSFER OPTIONS

The Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor or the Community Superintendent may transfer a student to another school if the parent consents.

At any point in the suspension process, and in the absence of a suspension, if a principal believes that the reinstatement of a student in general education would not be appropriate because of the student's academic or behavioral difficulties and that the student would benefit from a transfer or receive an appropriate education elsewhere, the principal may initiate involuntary transfer proceedings. See Chancellor's Regulation A-450.

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

For information regarding Safety Transfers, see Chancellor's Regulation A-449.