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Citywide Standards
of Intervention and Discipline Measures

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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. A safe and supportive school depends upon the efforts of all members of the school community—teachers, students, administrators, parents, counselors, social workers, safety personnel, related service providers, cafeteria, custodial and bus staff—to treat one another with mutual respect.

Included in this document is the ***Student Bill of Rights and Responsibilities*** which 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.

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STANDARDS OF BEHAVIOR

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 description of conduct that does not meet the standards of behavior expected of students in the New York City public schools. It includes a range of guidance interventions and a range of permissible disciplinary and intervention measures which schools may use to address misbehavior. Also included is the Bill of Students Rights and Responsibilities.

The Discipline Code applies to all students.

PROMOTING POSITIVE STUDENT BEHAVIOR

Each school is expected to promote a positive school culture and climate that provides students with a supportive environment in which to grow both socially and academically. 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.

Student engagement is integral to creating a positive school culture and climate that fosters students' social/emotional growth and academic achievement. 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 can help prevent 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.

Establishing a school-wide tiered framework of behavioral supports and interventions guides the entire school community toward following the school's rules and expectations, as well as the delivery of consistent and appropriate consequences, e.g., PBIS (Positive Behavioral Interventions and Supports).

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.

School staff members are also responsible for addressing inappropriate student behaviors which disrupt learning. Administrators, teachers, counselors and other school staff are expected to engage all students in intervention and prevention strategies that address a student's behavioral issues and discuss these strategies with the student and his/her parent(s).

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, restorative circles, anger management, stress 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 members 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, they 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 is 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(s) and one or more of the student's teachers are an effective means of encouraging parental input and should be held with students when 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 of Family Advocacy and Community Engagement.

PARENT NOTIFICATION

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

In the event a student engages in inappropriate behavior, the principal or principal's designee must report the behavior to the student's parent. When a student is believed to have committed a crime, the police must be summoned and the parent must be contacted. See Chancellor's Regulation A-412.

Attendance

Attendance at school is vital to a student's academic progress and success. School personnel must ensure that appropriate outreach, intervention and support are provided for students who exhibit attendance problems that may manifest themselves as truancy or patterns of unexcused absence or educational neglect.

In cases of truancy, school personnel must meet with the student and parent in order to determine needed supports and an appropriate course of action which may include, but is not limited to: guidance intervention, referral for counseling, and/or referral to after-school programs.

The school's Attendance or Pupil Personnel Committee should review cases of chronic absenteeism and/or truancy and should involve attendance teachers, deans, guidance counselors, teachers, social workers and other school staff in facilitating a resolution. Cases of suspected educational neglect must be called into the New York State Central Register in compliance with Chancellor's Regulation A-750.

* Whenever used in this document, the term "parent" means the student's parent(s) or guardian(s) or any person(s) in a parental or custodial relationship to the student, or the student, if she/he is an emancipated minor or has reached 18 years of age.

PROGRESSIVE DISCIPLINE

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

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

- understand why the behavior is unacceptable and the harm it has caused
- understand what they could have done differently in the same situation
- take responsibility for their actions
- be given the opportunity to learn pro-social strategies and skills to use in the future
- understand the progression of more stringent consequences if the behavior reoccurs

Determining the Disciplinary Response

School officials must consult this document (the Discipline Code) when determining which disciplinary measure to impose. In determining how to best address inappropriate conduct, it is necessary to evaluate the totality of the circumstances surrounding the conduct. The following facts must be considered prior to determining the appropriate disciplinary and/or intervention measures:

- the student's age and maturity;
- the student's disciplinary record (including the nature of any prior misconduct, the number of prior instances of misconduct, and the disciplinary and guidance intervention measures applied for each);
- the nature, severity and scope of the behavior;
- the circumstances/context in which the conduct occurred;
- the frequency and duration of the behavior;
- the number of persons involved in the behavior;
- the student's IEP, BIP (Behavioral Intervention Plan) 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. Guidance interventions are essential 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.

Appropriate disciplinary responses should emphasize prevention and effective intervention, prevent disruption to students' education, and promote the development of a positive school culture.

PROGRESSIVE DISCIPLINE

Infraction Levels

The Citywide Standards of Intervention and Discipline Measures holds students accountable for their behavior. Infractions are grouped into five levels based on the severity of the infraction. Whenever possible and appropriate, interventions should begin with the lowest level of disciplinary response.

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. The Discipline Code is divided into two sections Section A Grades K-5 and Section B Grades 6-12 to ensure that the age and general maturity of the student are considered. Some infractions may not apply to students in grades K-3.

Progressive Infraction Levels	
Level 1	Uncooperative/Noncompliant Behavior
Level 2	Disorderly Behavior
Level 3	Disruptive Behavior
Level 4	Aggressive or Injurious/Harmful Behavior
Level 5	Seriously Dangerous or Violent Behavior

Each level of infractions contains possible guidance interventions as well as 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.

Where and When the Discipline Code Applies

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 NYC DOE,
- 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.

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.

The Discipline Code provides graduated accountability measures for students who engage in repeated misbehaviors despite prior interventions and/or prior imposition of appropriate disciplinary measures.

More severe accountability measures 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 and use guidance interventions.

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.

When used consistently and appropriately, guidance interventions help improve student behavior, lower repeated misbehavior and contribute to a more positive school environment. 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 such services that best meet the needs of the individual student.

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.	**Short-Term Behavioral Progress Reports:** Teachers and/or principals may send behavioral progress reports to parents on a regular basis until they feel that the student is in control of his/her behavior and working in the classroom successfully.
Guidance Conference: Principals and teachers may request a guidance conference with the student and, where appropriate, with the parent. 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.	**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.
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 and educational strategies for parents and staff.	**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.
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.
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.	**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.
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.	**Mentor/Coach:** Assignment of a trained school staff member to provide transition support for a student returning from a Superintendent's Suspension or from a prolonged absence.
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.	**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.

ADDITIONAL CONSIDERATIONS FOR STUDENTS WITH DISABILITIES

A functional behavior assessment (FBA) is the process of determining why a student engages in behaviors that impede learning and how the behavior relates to the environment. An FBA must be considered when a student with a disability or a student who has been referred for an initial evaluation for special education (1) exhibits persistent behaviors that impede his or her learning or that of others, despite consistently implemented general school-wide or classroom-wide interventions; (2) engages in behavior that puts the student or others at risk of harm; or (3) is being considered by the CSE for a more restrictive program because of the student's behavior. An FBA must be conducted or updated after a finding in a manifestation determination review (MDR) that behavior is a manifestation of a student's disability.

After completion of an FBA, the IEP team must consider whether a behavior intervention plan (BIP) is needed or needs to be updated. A BIP is a plan that is based on the results of an FBA and, at a minimum, includes a description of the problem behavior, hypotheses as to why the behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior. For more information on FBAs, BIPs and MDRs, see http://schools.nyc.gov/Academics/SpecialEducation/Classroom/behavior/default.htm.

RESTORATIVE APPROACHES

A restorative approach can be used as both a prevention and intervention measure. Restorative processes can help schools build relationships and empower community members to take responsibility for the well being of others; prevent or deal with conflict before it escalates; address underlying factors that lead youth to engage in inappropriate behavior and build resiliency; increase the pro-social skills of those who have harmed others; and provide wrong doers with the opportunity to be accountable to those they have harmed and enable them to repair the harm to the extent possible.

When used as an intervention measure, taking a restorative approach to discipline changes the fundamental questions that are asked when a behavioral incident occurs. Instead of asking who is to blame and how those engaged in the misbehavior will be punished, a restorative approach asks four key questions:

- What happened?
- Who was harmed or affected by the behavior?
- What needs to be done to make things right?
- How can people behave differently in the future?

TYPES OF RESTORATIVE APPROACHES

Circle Process: Circles are effective as both a prevention and intervention strategy. Circles may be used as a regular practice in which a group of students (or faculty or students and faculty) participates. A circle can also be used in response to a particular issue that affects the community. The circle process can enable a group to build relationships and establish understanding and trust, create a sense of community, learn how to make decisions together, develop agreements for the mutual good, resolve difficult issues, etc.

Collaborative Negotiation: Using the collaborative negotiation process enables an individual to talk through an issue or conflict directly with the person with whom s/he disagrees to arrive at a mutually satisfactory resolution. Training in collaborative negotiation includes learning active listening and other conflict resolution communication skills.

Peer Mediation: An impartial, third party mediator (in a school, a student who has been trained to serve as a peer mediator) facilitates the negotiation process between parties who are in conflict so that they can come to a mutually satisfactory resolution. Mediation recognizes that there is validity to the conflicting points of view that the disputants bring to the table and helps disputants work out a solution that meets both sets of needs. Disputants must choose to use mediation and must come to the process willingly. Mediation is not used in situations in which one individual has been victimized (for example, in cases of harassment or bullying) by another.

Formal Restorative Conference: A conference is facilitated by an individual who has received specific training in bringing together individuals who have acknowledged causing harm with those who have been harmed. Regardless of the circumstances, the mental, physical health, safety, and welfare of the individual who was harmed is of paramount importance when considering this option in a school setting. Both sides may bring supporters to the circle who have also been affected by the incident. The purpose of the conference is for the harm doer and the harmed to understand each other's perspective and come to a mutual agreement which will repair the harm as much as it is able to be repaired.

PROGRESSIVE LADDER OF SUPPORT AND DISCIPLINARY RESPONSES

The ladder of supports and disciplinary consequences below illustrates a progressive response to inappropriate behavior. Student misbehavior must be handled on a case by case basis. In all cases, implementation of appropriate interventions and/or disciplinary consequences must take into account a number of factors including the nature and severity of the misconduct. In some cases, the use of primary consequences and/or the use of guidance interventions may be most suitable. In others, a student's misconduct may require or be most appropriately addressed by a targeted or significant disciplinary response along with guidance interventions.

Guidance Intervention Options	When a student engages in misconduct, support services are provided to address the student's needs either separately or coupled with disciplinary action. The goal is to foster social emotional growth and pro-social behavior and prevent future misbehavior.	Disciplinary Response Options
For students serving a Superintendent's Suspension, student support services are provided in an alternate instructional site. Contact between the site and the student's home school is established to ensure academic progress and successful transition upon return.		**Superintendent's Suspension** • 1 school year • 30-90 days • 6-10 days
• Teacher conference/classroom observation • Peer mediation and/or other behavioral supports including restorative approaches as applicable • Assignment of a Mentor/Coach • Guidance lesson(s) in classrooms • Individual behavior contract (elementary level) • Referral to Pupil Personnel Team • Guidance conference • Parent contact • Individual or group counseling • Mentoring Program • Referral to school nurse or school based health clinic or external health care provider • Referral for Academic Intervention Services • Referral to external mental health counseling provider or community based organization • Referral to appropriate substance abuse counseling • Referral to attendance teacher/coordinator • Functional Behavioral Assessment (FBA) / Behavioral Intervention Plan (BIP)		**Removal or Suspension** • Principal's Suspension (up to 5 days) • Removal from classroom by a teacher **Primary Disciplinary Responses** • Individual behavior contract • Short term behavior progress reports • Referral to Pupil Personnel Team • Supervisor's conference with student • In school disciplinary actions • Parent Conference
School counselor and/or support staff and/or administrator-student conference		Administrator and/or Dean-student conference.
Student Supports		**Progressive Disciplinary Consequences**

The teacher contacts the parent and, depending on the nature and severity of the behavior and the age and maturity level of the student, takes one or more of the following steps: has a conference with the student, refers student to school counselor and/or to PPT and/or refers the student to the deans' office (middle & high school level.) One or more interventions and/or options for primary disciplinary consequences are used to address the student's behavior.

Student Experiences Difficulty or Engages in Inappropriate Behavior

Universal Prevention for All Students

School provides a comprehensive student support program that includes guidance services, opportunities for social emotional learning, student engagement opportunities and prevention and intervention behavioral supports to encourage and motivate pro-social student behavior and positive connection to the school community. School has a system in place for early identification of students in need of intervention and/or support services.

BILL OF STUDENT RIGHTS AND RESPONSIBILITIES, K-12

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, A-832, A-420, and A-421);
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 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. confidentiality in the handling of student records maintained by the school system;
14. request or by parental request to have their contact information withheld from institutions of higher learning and/or military recruiters;
15. 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, including through electronic circulation, 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 or on the school website 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 and belongings 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 and verbal abuse (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 in 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; students with disabilities, 504 plans, or who are "presumed to have a disability" have the right to certain protections under IDEA.
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 and/or representative at conferences and hearings;
9. the presence of school staff in situations where there may be police involvement.

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 provide written consent before personally identifiable information in their own education records is disclosed, except in certain cases when FERPA allows disclosure without consent, including the following:

- 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), and who are under the direct control of the New York City Department of Education with respect to the use and maintenance of personally identifiable information from education records.
- 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.
- Other exceptions that permit disclosure of personally identifiable information without consent include certain types of disclosures (1) to authorized representatives of government entities and officials in connection with audits, evaluations or certain other activities, (2) in connection with financial aid for which the student has applied or which the student has received, (3) to organizations conducting studies for, or on behalf of, the New York City Department of Education, (4) to accrediting organizations to carry out their accrediting functions, (5) to parents of students age 18 and over if the student is a dependent for IRS tax purposes, (6) to comply with a judicial order or lawfully issued subpoena, (7) to appropriate officials in connection with a health or safety emergency and (8) of information that the New York City Department of Education has designated as "directory information."Most of these types of disclosures are subject to certain additional requirements and limitations. Please see FERPA and Chancellor's Regulation A-820 for more information about them.

Students age 18 and over have the right to inspect and review the record of disclosures that FERPA requires schools to keep when making disclosures of personally identifiable information without consent. However, schools are not required to record disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosure to parents or to students age 18 and over.

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, 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 and 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, including electronic expression, in their interactions with the school community;
18. express themselves in speech, writing and other modes of expression, including electronic expression 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.

DISCIPLINE PROCEDURES

Suspensions

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.) All entries in student records must be made in accordance with Chancellor's Regulation A-820.

Students returning from suspension should be provided with support services to maximize their ability to meet the school community's social and academic standards.

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.

DISCIPLINARY RESPONSES

The following discipline responses must be imposed in accordance with all the procedural requirements of Chancellor's Regulation A-443. In addition, students with disabilities, 504 plans, or who are "presumed to have a disability" are entitled to specific procedural safeguards under IDEA, including a Manifestation Determination Review if they are subject to a disciplinary change in placement (see Chancellor's Regulation A-443).

In-School Disciplinary Actions: In-school Disciplinary Actions include detention, exclusion from extracurricular activities or communal lunchtime. These consequences must take place in other than instructional time and in accordance with the Wellness Policy.	
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.

DISCIPLINARY RESPONSES

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 as set forth below:

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 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 will 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 DAYS WITH AN AUTOMATIC REVIEW AFTER 30 OR 60 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 ALTERNATIVE LEARNING SITE 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 alternative 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 alternative 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 ALTERNATIVE LEARNING SITE 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 alternative 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.

APPEALS

Parents may appeal suspensions. Principals' Suspensions may be appealed to the Chief Executive Officer of the Office of School and Youth Development or other designee of the Chancellor. 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. See Chancellor's Regulation A-443 for more information about the time frame and process for making an appeal.

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.

If a principal believes that the continued placement of a general education student is not 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.

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

CHANCELLOR'S REGULATIONS

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

WEAPONS	
Category I	**Category II**
• 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	• 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, 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.	

Kindergarten-Grade 5 LEVEL 1

Infractions – Uncooperative/Noncompliant Behavior

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 (A-E only)

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

A05 Failing to be in one's assigned place on school premises (A-E only)

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 (A-E only)

A09 Posting or distributing material on school premises in violation of written Department of Education policy and/or school rules (A-E only)

A10 Using school computers, fax machines, telephones or other electronic equipment or devices without appropriate permission (A-E only)

*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)
- Functional Behavioral Assessment (FBA)/Behavioral Intervention Plan (BIP)

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 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.)

Kindergarten-Grade 5 LEVEL 2

Infractions – Disorderly Behavior

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

A12 Gambling

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

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 Inappropriate use of electronic technology (e.g., unauthorized audio/video recording)

~~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 and guidance interventions 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
- Functional Behavioral Assessment (FBA)/Behavioral Intervention Plan (BIP)

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 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 – Disruptive Behavior

A22 Defying or disobeying the lawful authority or directive of school personnel or school safety agents in a way that substantially disrupts the educational process (A-G only)

A23 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 (for grades K-3, A-G; for grades 4-5, A-I)

A24 Shoving, pushing, or engaging in a minor altercation or similar physical confrontational behavior towards students or school personnel (e.g., pushing past another person), or throwing an object (e.g., chalk) or spitting at another person (for more serious physically aggressive behavior, see A34) (for grades K-3, A-G; for grades 4-5, A-I)

A25 Bringing unauthorized persons to school or allowing unauthorized visitors to enter school in violation of written school rules (for grades K-3, A-G; for grades 4-5, A-I)

A26 Knowingly possessing property belonging to another without authorization (for grades K-3, A-G; for grades 4-5, A-I)

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 (for grades K-3, A-G; for grades 4-5, A-I)

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 or displaying 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 (for grades K-3, C-G; for grades 4-5, C-I)

A31 Posting or distributing libelous material or literature (including posting such material on the Internet) (for grades K-3, C-G; for grades 4-5, C-I)

~~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 and guidance interventions in Level 2. Further, repeated Level 2 infractions are limited to Level 3 disciplinary responses.) (for grades K-3, C-G; for grades 4-5, C-I)~~

*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 impose a 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
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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, 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 for 1-5 days

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

Kindergarten-Grade 5 LEVEL 4

Infractions – Aggressive or Injurious/Harmful Behavior

A32 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) (D-I only)

A33 Engaging in physically aggressive behavior other than minor altercations as described under A24, which creates a substantial risk of or results in minor injury

A34 Engaging in an act of coercion or threatening or instigating violence, injury or harm to another or others

A35 *Engaging in behavior on the school bus which creates a substantial risk of or results in injury

A36 Engaging in harassing, intimidating and/or bullying behavior, including using electronic communication to engage in such behavior (cyber-bullying); such behavior includes, but is not limited to: physical violence; stalking; verbal, written, or physical conduct that threatens another with harm; seeking to coerce or compel a student or staff member to do something; hazing; taunting; exclusion from peer groups designed to humiliate or isolate; using derogatory language or making derogatory jokes or name calling to humiliate or harass

A37 Engaging in harassing, intimidating and/or bullying behavior, including using electronic communication to engage in such behavior (cyber-bullying) based on an individual's actual or perceived race, weight, religion, religious practices, gender, gender identity, gender expression, sexual orientation, or disability; such behavior includes, but is not limited to: physical violence; stalking; verbal, written, or physical conduct that threatens another with harm; seeking to coerce or compel a student or staff member to do something; hazing; taunting; exclusion from peer groups designed to humiliate or isolate; using derogatory language or making derogatory jokes or name calling to humiliate or harass

~~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, weight, religion, religious practices, gender, gender identity, gender expression, sexual orientation or disability~~

* 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
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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 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 for 1-5 days

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

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 or prescription medications without appropriate authorization, illegal drugs, synthetic hallucinogens, drug paraphernalia, and/or alcohol

Infractions – Aggressive or Injurious/Harmful Behavior

A40 Taking or attempting to take property belonging to another or belonging to the school without authorization, without using force or intimidating behavior

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, umbrella, or laser pointer)

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, umbrella, or laser pointer)

~~A45 **Starting a fire (H-J only)~~

A45 Inciting/causing a riot (G-J only)

A46 *Possessing or selling any weapon as defined in Category II (G-J only)

A47 Using controlled substances or prescription medication without appropriate authorization, or using illegal drugs, synthetic hallucinogens, and/or alcohol

~~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 and guidance interventions 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.

~~** 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
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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 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 for 1-5 days

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 5

Infractions – Seriously Dangerous or Violent Behavior

A48 Starting a fire (For grades K-3, D-J only; for grades 4-5, I-J only)

A49 Threatening to use or using force to take or attempt to take property belonging to another (For grades K-3, D-L; for grades 4-5, I-L only)

A50 Using force against, or inflicting or attempting to inflict serious injury against school personnel or school safety agents (For grades K-3, D-J only; for grades 4-5, I-J only)

A51 Using extreme force against or inflicting or attempting to inflict serious injury upon students or others (For grades K-3, D-J only; for grades 4-5, I-J only)

A52 Planning, instigating, or participating with another or others, in an incident of group violence (For grades K-3, D-L; for grades 4-5, I-L only)

A53 Engaging in threatening, dangerous or violent behavior that is gang-related* (For grades K-3, D-L; for grades 4-5, I-L only)

A54 Engaging in physical sexual aggression/compelling or forcing another to engage in sexual activity (For grades 4-5, I-J only)

A55 Selling or distributing illegal drugs or controlled substances and/or alcohol (For grades K-3, D-J only; for grades 4-5, I-J only)

A56 Possessing or selling any weapon, other than a firearm, as defined in Category I (For grades K-3, D-J only; for grades 4-5, I-J only)

A57 Using any weapon as defined in Category II to threaten or to attempt to inflict injury upon school personnel, students, or others (For grades K-3, D-J only; for grades 4-5, I-J only)

A58 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 (For grades K-3 D-L only; for grades 4-5, I-L only)

A59 Using any weapon, other than a firearm, as defined in Category I or II, to inflict injury upon school personnel, students, or others (For grades K-3, D-L only; for grades 4-5, I-L only)

A60 **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
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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 (K-3 only)

E. In-school disciplinary actions (e.g., detention, exclusion from extracurricular activities, or communal lunchtime) (K-3 only)

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.) (K-3 only)

G. Principal's suspension for 1-5 days (K-3 only)

H. Superintendent's suspension that results in immediate reinstatement (K-3 only)

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

Infractions – Uncooperative/Noncompliant Behavior

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) (A-E only)

B04 Being late for school or class (A-E only)

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

B06 Failing to be in one's assigned place on school premises (A-E only)

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 (A-E only)

B10 Posting or distributing material on school premises in violation of written Department of Education policy and/or school rules (A-E only)

B11 Failing to provide school officials with required identification (A-E only)

B12 Using school computers, fax machines, telephones or other electronic equipment or devices without appropriate permission (A-E only)

* 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)
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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, 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 Behavior

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

B14 Gambling

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

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 Inappropriate use of electronic technology (e.g., unauthorized audio/video recording)

~~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 and guidance interventions in Level 1. Further, repeated Level 1 infractions are limited to Level 2 disciplinary responses.)~~

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

~~* 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
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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 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 – Disruptive Behavior

B21 Defying or disobeying the lawful authority or directive of school personnel or school safety agents in a way that substantially disrupts the educational process (A-G only)

B22 Entering or attempting to enter a school building without authorization or through an unauthorized entrance. (A-G only)

B23 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 (C-I only)

B24 Shoving, pushing, or engaging in a minor altercation or similar physical confrontational behavior towards students or school personnel (e.g., pushing past another person), or throwing an object (e.g., chalk) or spitting at another person (for more serious physically aggressive behavior, see B37) (C-I only)

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

B26 *Engaging in gang-related behavior (e.g., wearing or displaying 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 impose a 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
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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 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 for 1-5 days

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 3 continued

Infractions – Disruptive Behavior

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

B30 Violating the Department's Internet Use Policy (e.g., use of the Department's system for non-educational purposes, security/privacy violations)

B31 *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)

B32 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 and guidance interventions in Level 2. Further, repeated Level 2 infractions are limited to Level 3 disciplinary responses.)~~

* For particularly egregious situations (e.g., where numerous students are involved, where the behavior involves standardized tests, or where the behavior requires invalidation of a test), the Superintendent may impose a suspension of 30-90 school days with 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
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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 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 for 1-5 days

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 – Aggressive or Injurious/Harmful Behavior

B33 Engaging in sexual conduct on school premises or at school-related functions (D-I only)

B34 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)

B35 Posting, 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

B36 Engaging in physically aggressive behavior other than minor altercations as described under B24, which creates a substantial risk of or results in minor injury

B37 Engaging in an act of coercion or threatening or instigating violence, injury or harm to another or others

B38 **Engaging in or causing disruptive behavior on the school bus which creates a substantial risk of or results in injury

B39 Engaging in harassing, intimidating and/or bullying behavior, including using electronic communication to engage in such behavior (cyber-bullying); such behavior includes, but is not limited to: physical violence; stalking; verbal, written, or physical conduct that threatens another with harm; seeking to coerce or compel a student or staff member to do something; hazing; taunting; exclusion from peer groups designed to humiliate or isolate; using derogatory language or making derogatory jokes or name calling to humiliate or harass.

B40 Engaging in harassing, intimidating and/or bullying behavior, including using electronic communication to engage in such behavior (cyber-bullying) based on an individual's actual or perceived race, weight, religion, religious practices, gender, gender identity, gender expression, sexual orientation, or disability; such behavior includes, but is not limited to: physical violence; stalking; verbal, written, or physical conduct that threatens another with harm; seeking to coerce or compel a student or staff member to do something; hazing; taunting; exclusion from peer groups designed to humiliate or isolate; using derogatory language or making derogatory jokes or name calling to humiliate or harass.

~~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, weight, religion, religious practices, gender, gender identity, gender expression, sexual \orientation or disability~~

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

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
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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., detention, exclusion from extracurricular activities 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 for 1-5 days

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)

B41	Possessing controlled substances or prescription medications without appropriate authorization, illegal drugs, synthetic hallucinogens, 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)		

Grade 6-12 LEVEL 4 continued

Infractions – Aggressive or Injurious/Harmful Behavior

B44 Taking or attempting to take property belonging to another or belonging to the school without authorization, without using force or intimidating behavior. (D-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, umbrella, or laser pointer) (D-M)

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, umbrella, or laser pointer) (G-M only)

~~B47 Starting a fire (H-M only)~~

B47 Inciting/causing a riot (G-M only)

B48 **Possessing or selling any weapon as defined in Category II (G-M only)

B49 Using controlled substances or prescription medication without appropriate authorization, or using illegal drugs, synthetic hallucinogens, and/or alcohol. (D-M)

~~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 and guidance interventions 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
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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., detention, exclusion from extracurricular activities 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 for 1-5 days

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 – Seriously Dangerous or Violent Behavior

B50 Starting a fire

B51 Threatening to use or using force to take or attempt to take property belonging to another

B52 Using force against, or inflicting or attempting to inflict serious injury against school personnel or school safety agents

B53 Using extreme force against or inflicting or attempting to inflict serious injury upon students or others

B54 Planning, instigating, or participating with another or others, in an incident of group violence

B55 *Engaging in threatening, dangerous or violent behavior that is gang-related

B56 Engaging in physical sexual aggression/compelling or forcing another to engage in sexual activity

B57 Selling or distributing illegal drugs or controlled substances and/or alcohol

B58 Possessing or selling any weapon, other than a firearm, as defined in Category I

B59 Using any weapon as defined in Category II to threaten or to attempt to inflict injury upon school personnel, students, or others

B60 **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)

B61 **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)

B62 **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
- Functional Behavioral Assessment (FBA)/ Behavioral Intervention Plan (BIP)

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)