

## Student Code of Conduct

Creating a positive and safe learning environment is a critical factor in student and school success. This responsibility is shared by students, parents, staff and administration. When everyone works cooperatively to prevent problems and promote success, the need for disciplinary action is reduced. Students at the Elmwood Village Charter School must adhere to the following Standards.

### EVCS Conduct Standards

- Obey rules established in individual classes and in the school at large.
- Demonstrate respect for other students.
- Demonstrate respect for faculty, staff, guests, and administrators.
- Ask for help politely and at appropriate times.
- Act in a way that is safe and non-threatening.
- Use language that is appropriate and does not offend others.
- Behave in ways that will assist others in their learning.
- Keep the classroom and school clean.
- Come to school regularly, on time, and ready to learn.
- Take responsibility for learning.
- Dress appropriately because school is a special place.
- Honor the code of conduct when participating in field trips, community service projects, and attending performances.

Each class will make a display of the rules providing all students with a place to revisit and discuss them when needed. The class display of the rules will include pictures/drawings for students not yet reading. Parents will receive a copy of the rules so they are aware of the behavioral norms, morals, and values expected of each child. Teachers will also inform parents of the process the children went through to create the rules. Teachers will also teach the rules for the school community encompassing appropriate behavior for participating in field trips, community service projects, attending performances, and dealing with conflict. Classroom rules will echo the school-wide standards noted above.

Additional techniques to be used for creating an orderly learning environment in the classroom may include a “peace place” or “take a break” spot. This will be a place in the classroom where children go to reflect on behavior before returning to the group. It will provide the student having difficulty following rules with an opportunity to decompress, reflect, and rejoin the class. The teacher will assess the immediate needs of the child and take time to discuss issues and problem solve. The teacher will communicate with the parent(s)/guardian(s) if the child continually exhibits behaviors counter to the rule system of the classroom and schedule a conference with the parent(s)/guardian(s). A time-out area has been established in the main office/director’s office area if a child needs a venue other than the classroom to reflect on his/her behavior.

The Director of the school will interact with students on a daily basis to assist teachers in reaching our goal of helping all children succeed. Informal visits to the Director's office for a talk, intervention, reminders or reprimands should not be interpreted as formal disciplinary action. Parent(s)/guardian(s) will be notified whenever formal disciplinary action is taken.

### **Chronic Problems**

A teacher or administrator will contact parents after some initial interventions have taken place. In-school or out-of-school suspension or a formal time-out may be required when a student's attitude and conduct result in the need to temporarily remove the student from the community. Following a suspension, the student's behavior will be closely monitored for at least the full duration of the academic year. Students with significant behavioral concerns will have the Student Support Team meet with the classroom teacher. The Student Support Team consists of special and general education teachers and the Director. Together, they confer to offer the teacher possible strategies. Such strategies might include principles of frequency, intensity and duration of target behaviors; determining antecedents, concurrent events and consequences that support problem behaviors; identifying skill deficits that contribute to the behavior(s) and putting in place a set of strategies that may include: developing a contract with the student, implementing an individual behavior management plan using re-enforcers. If this collaborative opportunity does not lead to student improvement, the Director will meet with the parents and/or child to develop a behavior program or a more formal Functional Behavior Plan, if necessary. This plan shall include devising a home-school communication system, teaching anger management skills, and assigning a peer or adult mentor.

### **Short-Term Suspensions**

A student who is determined to have committed any of the infractions listed below shall be subject minimally to a short term suspension, unless the Director or Student Support Team determines that an exception should be made based on the individual circumstances of the incident and the student's disciplinary record and depending on the severity of the infraction, a long-term suspension also may be imposed and referrals to law enforcement authorities may be made. A short-term suspension, as per Project SAVE (Safe Schools Against Violence in Education, November 2000), is an out-of-school suspension for five school days or fewer. The Director will have the power, under the new law, to grant a short-term suspension.

### **Disciplinary Infractions that May Result in a Short-Term Suspension**

- Attempt to assault any student or staff member
- Vandalize school or personal property resulting in minor damage.
- Endanger the physical safety of another by the use of force or threats of force.
- Engage in conduct that disrupts school or classroom activity or endangers or threatens to endanger the health, safety, welfare, or morals of others.
- Engage in insubordination.
- Fails to complete assignments, carry out directions, or comply with disciplinary sanctions.
- Cheating on exams or quizzes, or commits plagiarism
- Use of forged notes or excuses.
- Stealing, attempt to steal, or possession of property known by the student to be stolen.
- Trespassing on school property.

- Abuse of school property or equipment.
- Use of obscene or abusive language or gestures.
- Engage in acts of sexual harassment, including but not limited to sexually related physical contact or offensive sexual comments.
- Use of derogatory racial or ethnic slurs.
- Acts of bullying or intimidation.
- Making a false bomb threat or pulling a false emergency alarm.
- Possession of tobacco or alcohol.
- Possession of radios, "walkman", pagers, beepers, or portable/cellular telephones not being used for instructional purposes.
- Wearing inappropriate, insufficient, or disruptive clothing or attire, and/or violating the student dress code.
- Refusal to identify oneself to school personnel.
- Repeatedly committing minor behavioral infractions that, in the aggregate, may be considered an infraction subject to formal disciplinary action.
- Inappropriate or unauthorized use of technology.
- Committing any other act that school officials reasonably conclude warrants a disciplinary response.

#### **Long-Term Suspensions**

A student who is determined to have committed any of the infractions listed below, or repeats an offense listed above, shall be subject minimally to a long term suspension, unless the Director determines that an exception should be made based on the individual circumstances of the incident and the student's disciplinary record. A long-term suspension, as per Project SAVE, is an out-of-school suspension for more than five school days, followed by a hearing conducted by a hearing officer.

#### **Disciplinary Infractions that May Result in a Long-Term Suspension**

- Possession, use, attempt to use, or transfer of any firearm, knife, razor blade, explosive, mace, tear gas, or other dangerous object of no reasonable use to the student at school.
- Commits or attempts to commit arson on school property.
- Possession, sale, purchase, distribution, or use of any alcoholic beverage, controlled substance, imitation controlled substance, or marijuana on school property or at any school-sponsored event.
- Assault of any other student or staff member.
- Intentionally causing physical injury to another person, except when the student's actions are reasonably necessary to protect himself or herself from injury.
- Vandalizing school or personal property resulting in major damage.
- Committing any act that school officials reasonably conclude warrants long-term suspension.

In addition, a student who commits any of the acts that would ordinarily result in a short-term suspension may, instead or in addition, be subject to a long-term suspension at the Director's discretion.

### **Procedures for Long-Term Suspension**

The Director may impose a long-term suspension. Such a suspension may be imposed only after the student has been found guilty at a formal suspension hearing. At the formal hearing, the student shall have the right to be represented by counsel, question witnesses, and present evidence. The School will contract with a qualified impartial hearing officer. The hearing officer's report shall be advisory only and the Director may accept or reject all or part of it. The Director's decision after the formal hearing to impose a long-term suspension may be appealed first to the Board of directors, next to the chartering entity, and finally to the State Commission on Charter Schools.

Federal and State Laws require the expulsion from school for a period of not less than one year of a student who is determined to have brought a firearm to a school, or to have possessed a firearm at school, except that the Director may modify such expulsion requirement for a student on a case-by-case basis, if such modification is in writing.

### **Additional Disciplinary Measures**

The disciplinary measures listed below may be imposed in addition to short-term or long-term suspensions or, if an exception has been made by Director to the imposition of a minimum suspension, in place of such suspension. Behavior not listed in this Code but determined by appropriate school staff to warrant disciplinary action, including but not limited to missing classes without permission and arriving late to class without reasonable excuse, also may be subject to the additional disciplinary measures noted below.

*Behavioral Contract.* School staff may design written agreements with students subject to sanctions under this code to identify target behaviors, define expectations, and describe consequences, provided that the affected student and his or her parent(s) or guardian(s) are informed that the decision to enter into such a contract is voluntary.

*Loss of School Privileges.* After notice to the student and parent(s) or guardian(s), a student may be suspended from participation in extracurricular activities, including athletics. The student and parent(s) or guardian(s) shall be given an opportunity to meet informally with the Director. If possible, the Director or teacher involved shall hold any requested meeting prior to imposing the suspension from participation in extracurricular activities.

### **In-School Short Term Suspension**

Students may be temporarily removed from the classroom and placed in another area of the school where the student will receive substantially equivalent education. The student and his or her parent(s) or guardian(s) must be given a reasonable opportunity for an informal conference regarding such suspension with whoever was involved in imposing the suspension. The Director shall assign in-school short-term suspension.

The following Policies and Procedures along with the previously described Disciplinary Policies and Procedures for the general population of students will apply to students with disabilities. Methods and strategies for assuring that students with disabilities are provided with appropriate due process and a free appropriate public education per the requirements of IDEA and 34 CFR §§ 300, et seq.

### **Provision of Services During Removal or Expulsion**

The Charter School will ensure that alternative educational services are provided to a child who has been suspended or removed to help that child progress in the school's general curriculum. Actual instruction—not merely the provision of classroom assignments—will be provided by a certified teacher. For a student who has been expelled, alternative instruction will be provided by a certified teacher until the student enrolls in another school or until the end of the school year, whichever comes first.

### **DISCIPLINARY POLICIES AND PROCEDURES FOR STUDENTS WITH DISABILITIES**

Students with disabilities have the same rights and responsibilities as other students, and may be disciplined for the same behavioral offenses. Discipline of a student identified as having a disability, however, will be in accordance with the following:

1. Students for whom the Individualized Education Plan ("IEP") includes specific disciplinary guidelines will be disciplined in accordance with those guidelines. If the disciplinary guidelines appear not to be effective or if there is concern for the health and safety of the student or others if those guidelines are followed with respect to a specific infraction, the matter will be immediately referred to the Committee on Special Education ("CSE") for consideration of a change in the guidelines.
2. Students for whom the IEP does not include specific disciplinary guidelines may be disciplined in accordance with standard school policy relating to each infraction.
  - a. The Director of the Charter School will keep a record of the number of days a student with a disability has been suspended or removed for disciplinary reasons.
  - b. The Director of the Charter School has the authority to suspend or remove a student for discipline reasons.
  - c. The Elmwood Village Charter School will arrange appropriate alternate instruction.
  - d. The parents and the student with disabilities will receive appropriate notification in the form of a phone call and a letter regarding the suspension or removal for disciplinary reasons.
  - e. The CSE will be notified immediately of any suspension from classes.
  - f. Parents/guardians will receive a copy of the student's due process rights

### **Student Attendance**

- That each child attend school every day
- That each child arrive at school on time
- That early departures be kept to a minimum

New York State Law requires that parents/guardians ensure that their child(ren) attend school regularly and on time.

The following are considered excused (legal) absence, tardiness, and early departure: sickness; appointments with a doctor, dentist, counselor; court appearance; funeral or death in the immediate family; family emergency; religious observance or religious instruction.

Unexcused (illegal) absence, tardiness, and early departure would be any reason not noted above.

Students arriving at the school after **8:15** will be marked tardy.

Parents/guardians must report each absence to the main office personnel by calling **886-4581**.

In addition to notifying school personnel by telephone, parents/guardians must submit a written explanation for an absence to the homeroom teacher within **three** days of the absence. If a written explanation is not received after **three** days, the absence will be recorded as an unexcused (illegal) absence.

The Director of the School will monitor a student's attendance. If a student is excessively absent, tardy, or has frequent early departures, the student will be referred to the Student Support Team. Parents/guardians will be notified in writing of the concern and a conference will be scheduled with the Director. If attendance problems persist, the school is required to notify the proper authorities.

#### **Acceptable Use Policy**

Before students are permitted to use the Internet, parents/guardians and the student (where appropriate) must sign an acceptable use policy. Students are only allowed to use the Internet under the direction and supervision of a teacher, and only for valid and approved educational purposes. Students who violate this policy will have their Internet privileges suspended for a specified period of time.