

**THE CHARTER HIGH SCHOOL  
FOR LAW AND SOCIAL JUSTICE**



**THE CHARTER HIGH SCHOOL FOR LAW AND SOCIAL JUSTICE**

**STUDENT/FAMILY HANDBOOK**

**2019-20 SCHOOL YEAR**

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## Letter from the Executive Director

2019-20 School Year

Dear Families and Scholars,

Welcome to our new school year! We are excited about the 2019-20 academic year, our Charter renewal year. The Charter High School for Law and Social Justice has a dedicated and passionate faculty, supportive parents, and creative, energetic students. We are going to do great things together.

Our goal is to provide a college preparatory curriculum centered on law and social justice and get your scholar into college and ready for the real world. We will give the students comprehensive high school education and lay the academic and social groundwork for success in college and careers. Together, we will guide them on the road to success and self-fulfillment, helping them become happy and productive members of our society. It will not be an easy journey, but together, we can do it. We can be a part of a dream come true in the Bronx.

We care for everyone in the school and consider them important stakeholders. This includes students, parents, and professors (teachers) as well as our Board of Trustees. We hope that your time at our school is a rewarding experience that will make you proud. Our goal is to be fair and clear about what is expected of you and your scholar this school year.

We are a “College Now” school, and our 11th grade and 12<sup>th</sup>-grade students are permitted to take college courses for college credit at Bronx Community College, all part of the City University of New York. As part of this partnership, our students will have opportunities to intern with Bronx Community College and their partners in the Bronx. They will also receive career counseling, resume preparation assistance, financial aid and studentship guidance, and essay help.

Law and Social Justice are at our core, and we begin in 9th Grade with Law and Social Justice focused classes and activities. We are developing internship programs, so our 11th & 12th Grade do internships at law firms and law schools or Social Action Organizations. We also offer Advanced Placement and Honors classes to provide our students with every opportunity to excel and gain entrance to college.

With your support, we will continue to develop the very real gifts and talents of all of the students at CHLSJ. We are energized and excited about the upcoming year and look forward to working with your children! Let’s work together to make this the best year ever and reach our goal of becoming the #1 school in New York City!

Sincerely,



Richard Burke  
Executive Director

## **The Board of Trustees**

John Callahan, Chairman

Richard Marsico,

Linnet Tse, Treasurer

Katherine Smelas, Secretary

Janine Azriliant

## **School Information**

Mailing Address: 1960 University Avenue, Bronx, NY 10453

Telephone: (347) 696-0042

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Website: [www.chslsj.org](http://www.chslsj.org)

E-mail: [info@CHSLSJ.org](mailto:info@CHSLSJ.org).

Location: Community School District (CSD) 10

## **School Leadership**

Richard Burke, Executive Director/Head of School

Florainde Buckman, Principal

Jose Ferrer, Assistant Principal of Culture

Kate Girerd, Assistant Principal of Specials and School Outreach

Laura Reyes, Assistant Principal of Instruction for STEM and Student Services

Liz Runco, Assistant Principal of Instruction for Humanities

Arthur Mockabee, Director of Operations

Max Portugal, Director of Finance/HR

## **Mission Statement**

The Charter High School for Law and Social Justice will provide students with a comprehensive high school education and lay the academic and social groundwork for success in college and careers. Using a theme of law and social justice, the School will engage, inspire, and empower students, and will equip them with the academic skills to earn a Regents diploma and gain admission to the college of their choice prepared for success. The School will create a pathway for its students to law school and careers as attorneys. The pathway will include mentoring opportunities with law students and attorneys and partnerships with institutions of higher learning. These institutions will offer college and law school experiences to our students and share with them the academic benchmarks and habits necessary to gain entrance to college and law school.

## **Core Values**

- Excellence - We aim for Excellence in everything we do.** We strive to achieve at high levels in everything we do. We accept that failure is feedback.
- Character - Belief in a commitment to the law and Social Justice.** We live by the example we set for others. Our actions and our words are aligned.
- Courage - We have the courage to succeed.** Act with Courage. We do what is right. We speak and live in our truth. We are responsible for ourselves and others. We take pride in all our endeavors.
- Commitment - to self-improvement and Social Justice.** We do whatever it takes to take positive action to make our dreams and the dreams of others happen. We follow our vision without wavering

## **Vision Statement**

Through college-aligned academics, career education, and cultural enrichment of our students in the Bronx will develop a mindset that achievement is the result of effective effort and reflection. With this conviction, our students will be committed to the law and social justice. This viewpoint will empower them to improve the lives of their fellow New Yorkers and contribute to the common good. Our core values are infused in the everyday life of our school. Our school holds these values in the highest regard.

## **Excellence**

Excellence drives everything we do. We maintain a laser focus on high academic performance through continuous improvement and innovation with the goal of making a positive change in our world.

## **Student and Empowerment Centered**

We cultivate and support a learning environment that inspires and empowers each student to own their goals, decisions, achievements, and lives.

## **Acceptance and Inclusion**

We embrace our differences and strive to be non-judgmental and inclusive by establishing compassionate and respectful relationships that build self-worth and self-esteem.

## **Community and Social Responsibility**

We are a school community that is interdependent and supportive of each other. We carry this value to create a greater community that will result in a better world.

## **Celebration**

We take pride in our accomplishments. We recognize the small and big achievements of staff, students, families.

## **About this Handbook**

This handbook is intended to be a reference document that outlines some of the school's most important academic and discipline policies and is not meant to be comprehensive. Those policies not explicitly outlined in this document are left to the discretion of school leadership. Please contact the school office for any specific policy questions.

The Charter High School for Law and Social Justice's rules and policies include those listed throughout this handbook as well as any changes throughout the school year that are posted in the school and/or distributed to students and parents, and/or any other rules communicated to students by CHSLSJ staff. Following the rules and procedures outlined in this handbook is a necessary condition of membership in the CHSLSJ community.

## **A Message to Students, Parents, and Guardians**

The Charter High School for Law and Social Justice is constantly reviewing and revising the family handbook, as it is appropriate for a document that seeks to provide guidance and set standards for the school community. Therefore, the rules and regulations of this Handbook may from time to time change, and students and parents/guardians are expected to abide by those changes.

### *Student Responsibilities*

The handbook will be presented and reviewed with each student during the first week of school. All students must read the entire handbook once with their professor and once with their parent(s) and/or guardian.

### *Families Responsibilities*

Parents/guardians must read the handbook and have the student return the Parent Contract and the Technology Contract that is located at the end of this handbook. These forms are distributed on the first day of school and should be returned to their Advisory professor within five (5) days.

## Academics

### Academic Policy

There are four marking periods in our academic year. **Parents will be notified at each parent-professor conference if their student is in danger of failure and failure letters will be mailed in May, if not earlier.**

### Student Grading

Students at CHSLSJ are given numerical grades. 65% is passing.

- On the report card, students will receive two separate but equally important grades:
  - Mastery of required grade level requirements
  - Work Ethic grade based on attitude, participation, conduct, and living by our values

All professors will use a uniform rubric for the work ethic grade that will evaluate a student's work ethic in the classroom.

### Grading Scale

Recognizing that our school has courses with diverse requirements, it is difficult for a grading policy to have uniform grading requirements. We will use the following categories for evaluating grade-level mastery:

- **Tests/Examinations** - Examinations/tests cover material presented and discussed in class as well as information in the readings and homework and will usually take an entire class period. If a student misses a test/examination faculty will schedule the time for a student to take a missed examination/test. Make-up examinations/tests and some assignments can be taken or completed only with a note from parents/guardians explaining the absence.
- **Classwork** – Assignments that are done in class help students practice and master the standards before a formal assessment. students should do their best on these assignments and use their professors as a resource to earn the best possible grade.
- **Do Now** – Graded as a quiz.
- **Exit Tickets** – Graded as a quiz.
- **Quizzes** - Quizzes may be given with or without notice. Quizzes may be multiple choice, short answer, brief essay or in another form. "Do Now" problems are graded and may also count as a quiz.
- **Homework** - students may receive at least one hour of homework daily, including the 30 minutes of independent reading. Completed homework assignments must be turned in on the due date. students must hand in work neatly handwritten in blue or black ink or typed. Pencils are encouraged for Mathematics.
- **Quarterly Projects** - Each class is required to assign a quarterly project that is based on a health-related essential question. These projects will make up a minimum of 20% of a student's final grade.

## **Work Ethic/Classroom Participation**

Participation is often an indication that homework has been thoroughly completed. When considering this as part of the grade, professors will take into account the following criteria:

- the ability to participate actively in class discussions, demonstrating that the assigned work was completed;
- the ability to follow directions; and
- preparedness for class (having all required materials for class)

Work Ethic also encompasses how well students conduct themselves in class. When considering this part of the Work Ethic grade, the faculty will take into account the following criteria:

- Behavior throughout the entire class period, how the student asks questions, and how the student maintains the classroom routines and practices as set by each professor.

Students who show a poor attitude are considered to be lacking the appropriate classroom work ethic. This school will take action to support students who consistently engage in misbehavior, eg., logical consequences, counseling, behavior intervention plans, parent conferences.

## **Promotion Policy**

Promotion to the next grade is dependent on a passing grade average over the four terms. Students will be held to specific promotion criteria: attendance; comprehensive classroom assessments that may include portfolios, Professor's assessments, observations; and benchmark assessments. The school reserves the right to make a decision for promotion when standardized test scores do not match student achievement as seen through these classroom assessments.



## Credit Requirements for Promotion and Graduation

In New York State, scholars can earn three types of diplomas:

1. A Regents diploma
2. An advanced Regents diploma
3. A local diploma

All of these diplomas are valid high school diplomas. All scholars can earn a Regents or Advanced Regents diploma. An Advanced Regents diploma lets students show additional skills in math, science, and languages other than English. Only some scholars who meet specific criteria can graduate with a local diploma, with lower exam scores.

To earn a diploma, students must earn specific course credits and pass specific Regents exams. If you believe your scholar is not on track to graduate, please speak to your scholar's guidance counselor immediately.

### Regents Diploma Examination Requirements

Students must achieve a score of 65 or higher on these five exams to earn a Regents diploma.

- English Language Arts (ELA)
- Any math exam (Algebra I, Geometry, or Algebra II/Trigonometry)
- Any social studies exam (Global History and Geography or U.S. History and Government)
- Any science exam (Living Environment, Chemistry, Earth Science, or Physics)
- Any additional Regents exam, or another option approved by the State

### Regents Diploma Credit Requirements

Students need 44 credits in these subject areas to earn a Regents diploma.

- 8 credits in core English
- 8 credits in social studies, including:
  - 4 credits in Global History
  - 2 credits in U.S. History
  - 1 credit in Participation in Government
  - 1 credit in Economics
- 6 credits in math, including:
  - At least 2 credits in advanced math (for example, Geometry or Algebra II)
- 6 credits in science, including:
  - 2 credits in any life science
  - 2 credits in any physical science
  - 2 credits in any life science or physical science
- 2 credits in Languages Other Than English (LOTE)
- 4 credits in physical education, every year in specific ways
- 1 credit in health education
- 2 credits in arts education, including visual arts, music, dance, and theater
- 7 credits in electives

### Advanced Regents Diploma Examination Requirements

Students must score 65 or higher on the following nine exams to earn an advanced Regents diploma.

- English Language Arts (ELA)
- Three math exams (Algebra I, Geometry, and Algebra II/Trigonometry)
- One social studies exam (Global History and Geography or U.S. History and Government)
- Two science exams (Living Environment and one of these: Chemistry, Earth Science, or Physics)
- Any additional Regents exam, or another option approved by the State
- Any NYC Languages Other Than English (LOTE) exam

### Advanced Regents Diploma Credit Requirements

Students need 44 credits in these subject areas to earn an Advanced Regents diploma. This is the same total number of credits as a Regents diploma, but with more courses in a language other than English (LOTE) and fewer elective courses.

- 8 credits in core English
- 8 credits in social studies, including:
  - 4 credits in Global History
  - 2 credits in U.S. History
  - 1 credit in Participation in Government
  - 1 credit in Economics
- 6 credits in math, including:
  - At least 2 credits in advanced math (for example, Geometry or Algebra II)
- 6 credits in science, including:
  - 2 credits in any life science
  - credits in any physical science
  - 2 credits in any life science or physical science
- 6 credits in Languages Other Than English (LOTE)
- 4 credits in physical education, every year in specific ways
- 1 credit in health education
- 2 credits in arts education, including visual arts, music, dance, and theater
- 3 credits in electives

### Promotional Requirements

In order to be promoted to the next grade level a scholar must meet certain promotion standards established by the State Education Department. Please see below for information on promotional standards.

GRADE	JANUARY	JUNE
9-->10	4+ credits	8+credits

10-->11	14 + credits (3 credits English/ESL) (3 credits Social Studies)	20 + credits (4 credits English/ESL) (4 credits Social Studies)
11-->12	24 + credits	30 + credits
12-->Graduation	38 + credits	44 + credits with all required regents exams passed

### **Retention**

Parents are notified if their child is identified at risk of retention. A conference with your student’s professor(s) will be arranged to discuss how to work together to promote success and explore additional intervention opportunities in core academic areas. In May, if necessary, a PROMOTION IN DOUBT letter will be mailed to notify the parents of students whose promotion to the next grade is in jeopardy. students who do not make grade-level standard will be retained the following school year. The Executive Director and principal makes the final decision on retention.

### **Honor Roll**

At CHSLSJ, students will have the opportunity to earn Justices (1st) , Associate Justices(2nd), Lawyers (3rd) !

Work hard, and your name will appear on the Hall of Honor Bulletin Boards throughout the school! All honors students are celebrated with a fun event like a Town Hall, trips and pizza party!

In order to eligible to be on the honor roll all students must have at least:

- 85% attendance average for the marking period and pass all classes with at least an 80% average

The honor roll grade criteria are as follows:

- Justices – overall average of 95% or higher
- Associate Justices – overall average of 90% - 94.4%
- Lawyers – overall average of 85% - 89.4%

*\*There is a separate Attendance Honor Roll and Improvement Honor Roll that celebrates the excellence in attendance and growth by our students.\**

## **Good Study Habits**

To help your children develop good study habits:

- ✓ Set up a comfortable location at home for doing homework with simple supplies, such as pens, pencils, paper, scissors, and tape, near at hand
- ✓ Have them write down and organize assignments each day. They need to learn how to manage their time and work toward long-range goals. All students should get a planner at the beginning of the year and must use these to write down and organize assignments each day. These planners should be reviewed daily by their parents.
- ✓ Encourage them to do the most difficult homework first, not last.
- ✓ Check to see that assignments are complete and on time. Be more concerned with the process they use to complete work than with getting a right answer. All homework is listed on the homework page of the teachers' classroom website.

## **Academics Ethics & Plagiarism Policy**

CHSLSJ expects its students to maintain the highest degree of academic ethics. This means putting the utmost effort into all class work and assignments and avoiding the ethical pitfalls of plagiarism and cheating. Plagiarism demonstrates a lack of integrity and character that is inconsistent with the goals and values of CHSLSJ. Excellent written expression of well-formulated ideas is a fundamental skill for academic and career success. Plagiarism interferes with the assessment and feedback process that is necessary in order to promote academic growth. Plagiarism defrauds the instructor with a false view of a student's strengths and weaknesses. It may prevent further instruction in areas of weakness and delay the student in reaching his or her potential. Plagiarism includes:

- Taking someone else's assignment or a portion of an assignment and submitting it as your own
- Submitting material written by someone else or rephrasing the ideas of another without giving the author's name or source.
- Presenting the work of tutors, parents, siblings, or friends as your own
- Submitting purchased papers as your own.
- Submitting papers, or portions of papers, from the Internet written by someone else as your own
- Supporting plagiarism by providing your work to others, whether you believe it will be copied or not

*See Discipline Policy at Appendix A for information on consequences.*

## **Cheating**

Students are expected to do their own work except on projects designated by the professor as cooperative efforts. Professors will indicate which assignments are to be cooperative efforts and will establish guidelines for the use of such aids as calculators, computers, word processors, and published study guides. If a student is in doubt about the ethical standards applicable to a particular situation, then the student is responsible for clarifying the matter with the professor.

### **Cheating includes:**

- Copying, text messaging, faxing, emailing, or in any way duplicating assignments that are turned in, wholly in part, as original work.
- Exchanging assignments with other students, either handwritten or computer generated,

whether you believe they will be copied or not.

- Using any form of memory aid during tests or quizzes without the expressed permission of the professor.
- Using a computer or other means to translate an assignment from one language into another language and submitting it as original work.
- Giving or receiving answers during tests or quizzes.
- Taking credit for group work when you have not contributed an equal or appropriate share toward the final result.
- Accessing a test or quiz for the purpose of determining the questions in advance of its administration.
- Using summaries/commentaries (Cliff Notes, Spark Notes, etc.) in lieu of reading the assigned materials.

*See Discipline Policy at Appendix A for information on consequences.*

### **Ask Your Child's Professors**

Learning standards provide a great opportunity for you to talk with Professors about what your child is learning in school and how you can support this learning at home.

***Here are some questions you may want to ask to learn more about a standard:***

- Can you show me examples of student work that meets this standard?
- May I look at some of my child's work related to this standard?
- When will my child work on this standard during the school year?
- What activities and materials are you using in school to help my child meet and exceed this standard?
- What classwork and homework do you expect to assign?
- What are some exercises I can do with my child to help him or her with this standard?
- Besides the standards covered in this guide, what else is my child expected to learn this year? To learn how your child is doing in school:
- Is my child working on grade level? Are there any areas that need improvement?
- Is my child reading at grade level? Can you show me some books that my child can read?
- Each day, how much time does my child spend working on each subject?
- How do you assess my child on these subjects during the year?

***Here are some questions you may want to ask to learn how to support your child:***

- Besides report cards, what are the best ways to keep up to date on how my child is doing?
- If your child is not on grade level: What support is the school able to offer my child? What can I do at home to help my child do better in school?
- If your child is on grade level or above: What extra enrichment and support do you suggest for my child? How can I help at home?

## **School-Wide General Information**

### **Required Forms**

There are various forms that are required to enroll your child. The Operations Manager will make these forms and documents available to you in a packet.

- School Application
- Lunch Application
- Locker Policy
- Emergency Contact (Blue Card)
- Pickup & Drop-off Authorization
- Media Release Form
- Field Trip Permission
- Proof of Immunization
- Medication Administration Form
- Signed confirmation of Handbook
- School Uniform Policy
- Parent Contract
- Student Contract

### **Health Medication Policy**

A review of student immunizations requirements and the proper supporting documents will be completed for all new students. The School staff will work with the Department of Health and other appropriate authorities to provide these services. The School, in accordance with New York State law, requires that each student has a certificate of immunization at the time of his or her registration or not later than the first day of school.

#### **Medication Delivery System Procedures**

The School requires the following:

- 1) A written order from a licensed prescriber;
- 2) written parental permission to administer medication;
- 3) the completion of a Medication Administration Form for All medications, including nonprescription over the counter (OTC) drugs, given in School will be prescribed by a licensed prescriber on an individual basis as determined by the student's health status. Written orders for prescription and OTC medications should minimally include:
  - a) Student's name and date of birth;
  - b) name of medication;
  - c) dosage/route of administration;
  - d) frequency/time of administration;
  - e) for PRN (as needed) medications, conditions under which medication should be administered;
  - f) date written;
  - g) prescriber's name, title, and signature; and
  - h) prescriber's phone number.

The School may request additional information, e.g., potential adverse reactions. However,

medication delivery should not be delayed pending this information, unless such information is essential to the safe administration of the medication. Medication orders must be renewed annually or when there is a change in medication or dosage. A pharmacy label does not constitute a written order and cannot be used in lieu of a written order from a licensed prescriber. When a properly labeled medication comes to the School accompanied by a written request from the parent for administration of the medication, but without a written order from a licensed prescriber, the following procedure will be followed and documented: a) Principal or designate will contact the parent regarding need for written order from a licensed prescriber; b) with permission, the Principal or designate may contact the prescriber to obtain verbal permission to administer medication; c) the School will request fax or written orders to be received within 48 hours, and d) the Principal or designate will contact the parent and the School will discontinue medication if written orders are not received in 48 hours.

### **Parental Responsibility**

A written statement from a parent/guardian requesting administration of medication in School as ordered by a licensed prescriber is required before medication can be administered. The parent/guardian is responsible for having the medication delivered directly to the School in a properly labeled original container. **Safety Procedures**

CHSLSJ holds regular drills to instruct and train students in emergency and evacuation procedures so that everyone may leave the school building in the shortest time possible and without panic in the event of an actual emergency. On hearing the evacuation signal, all adults and children must exit the building quickly in an orderly manner. This may mean exiting the school without coats, jackets and book bags, but teachers will make every effort to ensure that students are not exposed to cold weather for too long. Visitors must also follow safety procedures.

CHSLSJ maintains appropriate safety plans in compliance with “Project SAVE,” the state’s Safe Schools Against Violence in Education (SAVE) law. These plans outline the operations of the School and its emergency procedures.

Under New York’s Violent or Disruptive Incident Reporting law (“VADIR”), the school is required to report violent or disruptive incidents that occur on school property, including incidents occurring in, or on, a school bus (as defined in Vehicle and Traffic Law §142), and at school functions. Reports are submitted to the New York State Education Department at the conclusion of the school year.

### **Complaints and Grievances**

Any individual may bring a complaint to the attention of the school. Please see Appendix G for the school’s full complaint policy.

### **Withdrawal from School**

CHSLSJ is a public school of choice, both for application and withdrawal. At any time a circumstance may arise in which a parent or guardian may wish to transfer their child to a different school. A parent or guardian wishing to withdraw his/her child will be asked to complete a **Student Withdrawal form**. The school personnel will offer to meet with the family and discuss their reasons for

withdrawal, as well as to seek solutions to any problems that arise from the discussions. If the parents or guardians still wish to transfer their child, school staff will make every reasonable effort to help the student find a school that better serves the family's desires. The School will ensure the timely transfer of any necessary school records to the student's new school.

### **Family Communication**

It is important that there be maximum consultation and communication between the school and the home. Students, parents, and school staff have a role in making the school safer and must cooperate with one another to achieve that goal. In order to ensure that parents become active and involved partners that instill a sense of responsibility in their children, parents must be familiar with our discipline policies. In collaboration with CHSLSJ' Parent-Teacher Association, we inform parents of our policies and procedures at multiple points during the school year including but not limited to family orientation, single-family meetings with the leadership team and frequent contact with school counselors. Additionally, we inform parents of behavior concerns when issues are identified, when there is disciplinary action, and as a part of the school's due process.

### **Student Orientation**

In order for students to meet our high expectations, we will orient them to the school culture during the first week of school. This will serve as their student orientation period. Our staff will model professionalism and exemplary character.



## **The Charter High School for Law and Social Justice** **Community Rules and Expectations**

### **Attendance & Lateness Policy**

At CHSLSJ we work hard to bring your child a world-class education. To that end, academic progress requires the full support from the parents. The first step in supporting your student's academic success is to ensure that he or she is at school all day, every day.

**Promotional requirements are set at 95% attendance, and lateness is considered partial attendance. Three (3) tardies is equivalent to one (1) absence.** Below is the attendance policy for CHSLSJ for the 2019-20 school year. At the discretion of the Executive Director, Principal, ACS will be notified for excessive absences. **Absences may result in your child being required to attend Summer Academy and Saturday Academy.**

### **Absences**

At CHSLSJ we encourage all students to be in school each school day. However, we are aware that there are circumstances where students must be absent. To ensure the safety of all students, the following procedures must be strictly adhered to.

1. A parent or guardian must call the school office before **8:45 am** to report an absence, the reason for the absence, the student name/homeroom.
2. Following the absence, a student is required to bring a note from a parent/guardian stating the reasons and the dates of the absence. The note should be presented to the Main Office **before** classes begin in the morning.

If a student is absent without a parent phone call or a note, the student will be considered unexcused, and consequences may be issued based on the discretion of the Executive Director, Principal and the Dean of students.

### **Long Term Absences**

Long-term absences are only permitted for bereavement of immediate family and health-related concerns. If your child is absent for a week or more, please be certain to make arrangements with your child's classroom professor to pick up long-term assignments.

### **Early Pick-Up**

We strongly encourage that students aren't removed from school early unless there is a documented acceptable excuse. If a student needs to leave early, they must follow these procedures:

1. Students may have a parent pick them up or must have a signed note from a parent that has the date, time, and a reason for a student early dismissal. This note must be presented to the Main Office before leaving school grounds. students will not be allowed to leave the building without a note and/or a parent escort unless the Principal or their designee approves.

## Late to School (Tardy)

At CHSLSJ we see punctuality as essential to our values and goals. To that end, we strive to limit the number and frequency of tardiness to school from students. The following policies have been implemented for students who are late to school.

- Students who are late to school will receive a wake-up call the next morning at 6:00 am on the parent/guardian's listed phone number.
- Students who are tardy two times in a week will earn a detention after the second tardy and another detention for each subsequent lateness during the week. Additionally, **a parent meeting may be required.**
- If there is a valid excuse due to mass public transportation delays or a weather event the school may excuse that tardiness on a particular at the discretion of the principal/head of school.

## Acceptable Excuses (for Absences, Late Arrivals & Early Pick-Ups)

- Illness (note from a doctor if over three days)
- Religious Observance
- Medical Appointment (that is not possible to schedule outside of school hours)
- Extreme Family Emergency
- Death in the Immediate Family
- Emergency approved by the Principal or Principal's Designee

## Scholar Schedule

Status	Time	Notes
Doors Open/ Arrival	8:15am	Students will not have access to the building prior to 8:15am. Students should enter and exit from the main entrance of the building only and report to the cafeteria for breakfast..
ON TIME	8:50am	Students are considered on time if they are in the building by 8:50am. Attendance will be taken at this time in the students' homerooms.
Late Arrival	8:51am	Students are tardy if they arrive after 8:51am. Students will be issued a tardy pass will <b><u>only be admitted into class with the tardy pass.</u></b>
Dismissal	4:00pm	Students will leave through the main exit.

## Uniform Policy

The uniform is worn during school hours and to all school functions and trips, unless the school informs students otherwise. On occasion, there are dress-down days for reasons such as school dances, birthdays, donations to charities, and rewards. In those cases, students must obtain a wristband from their professors, Deans, or those staff members organizing the event and wear the wristband on the day of the occasion/event. Students may not wear a uniform that is not provided from the school. CHSLSJ has the following Uniform requirements:

- 9<sup>th</sup> and 10<sup>th</sup> grade scholars are required to wear a **burgundy** “The Charter High School For Law and Social Justice” Polo collared shirt.
- 11<sup>th</sup> and 12<sup>th</sup> grade scholars are required to wear a **navy** “The Charter High School For Law and Social Justice” Polo collared shirt.
- All scholars must wear **all black pants or slacks** with a belt.
- Female students may wear black skirts that fall at their knees or lower.
- Scholars may wear the footwear of his/her choice. However, scholars may not wear footwear that may cause a distraction or may be deemed as unsafe: Examples include:
  - Heelys (sneakers with wheels)
  - Shoes that light up or make sounds
  - Flip Flops
  - sandals are allowed but they need to be secured with a back strap)

### **The following is not permitted at school:**

- Pants worn below the waist or showing clothing beneath the main outerwear.
- Shirts exposing the stomach, excessively tight, see-through or low-cut in the front or in the back.
- Headgear (scarves, bandannas, stocking caps, hoods, hats, headbands, towels, sunglasses, doo-rags, and combs/picks.)
- Exposed undergarments.

Students who are out of uniform will be referred to a Dean in order to contact parents and make arrangements for a uniform to be delivered to school. Continued violation of the uniform policy may result in a detention. Repeated violations may result in further interventions such as a parent conference, ISS, or greater consequences.

## Electronic Devices

In order for students to be able to fully engage in the school experience free of distractions, **phones, MP4 players, MP3 players, PSPs or video game devices, smart watches, and all similar electronic devices are not permitted on the person of the students at any time or in their backpacks/bags during the school day. All communication electronic devices such as phones and smart watches must be put into the Yondr pouch and locked.** Any electronic devices seen

on a student's person will be confiscated immediately by school staff members and delivered to a Dean for tracking and storage purposes. **At no time shall The Charter High School for Law and Social Justice be responsible for preventing theft, loss or damage to electronic devices brought onto its property.** Additionally, students are not allowed to walk around the building with headphones in their ears. Headphones are only to be worn during approved free time or during instructional time with a professor's permission. School phones in the main office are available in the event that a student must contact a parent/guardian.

Confiscated electronic devices may be retrieved in the following manner:

1st Confiscation: The device is returned to the student at EOD and a parent/guardian is contacted.

2nd Confiscation: The parent/guardian is notified and arrangements are made for an adult to pick up the device (If parent/guardian is unable to pick up device, device will be held until further notice). Upon arrival, parent/guardian is to go to the main office so that a Dean can be summoned and the device retrieved.

3rd Confiscation: The parent/guardian is notified and arrangements are made for an adult to pick up the device (If parent/guardian is unable to pickup device, device will be held until further notice). Upon arrival, parent/guardian is to go to main office so that a Dean can be summoned and the device retrieved. If the device is a phone, arrangements will be made for the student to turn in the phone daily to a Dean for a specified period of time.. If the phone is not received a letter or phone call to a Dean from a parent indicating why would need to be provided.

Students who do not surrender an electronic device upon the request of a staff member will be subject to disciplinary action as described in the code of conduct in the Discipline Plan of this handbook.

In order to support a cell phone-free learning environment, CHSLSJ has partnered with Yondr. Each student will receive a pouch in which to store their cell phone during the day that is locked with a magnet. Upon leaving for the school day, the magnet lock is opened and students regain access to their phones. Any non-compliance or damage to the pouches will result in disciplinary action as described in Appendix A of this handbook.

## **Food and Drink**

Students may eat or drink only in areas and at times designated by the school. CHSLSJ does not permit students to bring, soda, candy, or other high-sugar-content foods or drinks during the school day or on school grounds as it is unhealthy. Students may not use glass bottles anywhere on school premises. All water bottles need to be clear.

## **Technology Use**

CHSLSJ provides computers, an Intranet/Internet system, and other equipment and services as part of the learning experience. The system may not be used in any way that disrupts or interferes with its use by others.

**Prohibited uses include, but are not limited to:**

- Vandalism or theft of equipment
- Theft, piracy or altering of software
- Activity unrelated to instruction (e.g., unlawful purposes, commercial purposes, personal gain)
- Use of chat rooms or messaging programs
- Violations of copyright laws
- Plagiarism of ideas or information
- Intentional transmission or receipt of computer viruses
- Intentional transmission or receipt of information that is pornographic, obscene, sexist, racist, abusive, or harassing
- Download computer games, music, software, video, or anything else for unsupervised non-academic purposes
- Any violation of federal law, or CHSLSJ policy, e.g., installing pirated software
- Cyberbullying

**Privacy**

There is no right to privacy in the use of the computer system or user accounts. The Charter High School for Law and Social Justice reserves the right to monitor and access information on the system and in user accounts for the purpose of determining whether a violation of school policy has occurred. CHSLSJ will remove from the system any information that the staff determines to be unlawful, obscene, pornographic, abusive, harassing, or otherwise in violation of the guidelines. The system may not be used to obtain, view, download, or otherwise gain or provide access to such materials. The CHSLSJ staff will refer for disciplinary action any individual who does not comply with the provisions of this policy. Cancellation of user privileges will be at the discretion of the staff.

**Data Loss**

The Charter High School for Law and Social Justice is not responsible for any loss of data resulting from delays, non-deliveries, or service interruptions sustained in the use, operation, or malfunction of the system. Students are responsible for backing up student-generated files. CHSLSJ disowns any responsibility for the accuracy or quality of information obtained electronically. Any such information is used at the risk of the user.

**“Netiquette”**

All users of the The Charter High School for Law and Social Justice system must abide by these rules:

- Identify yourself. Users must not conceal or misrepresent their identity while using the system, except where alias names are appropriate.
- Be polite. Use appropriate language. Do not send abusive, harassing, or suggestive messages to anyone.
- Do not respond to abusive, harassing, or suggestive message. You are required to report such messages to a supervising adult.

- Keep account passwords confidential. Do not allow others to use them. students who share their passwords are ultimately responsible for any subsequent computer misuse under their login.
- Unauthorized entry, use, transfers, and tampering with the accounts and files of others are prohibited.
- Communicating about, advocating, encouraging, or supporting illegal activities is strictly forbidden.
- Respect the privacy of all users. Do not reveal your personal address or phone number or anyone else's. Remember that email may not be private. Others may read what you type into your computer!
- Respect the originator of communications. Do not forward email messages or information with the permission of the originator.

### **Dignity for all Students Act**

CHSLSJ creates a safe and supportive environment for all community members; we abide by the New York State Dignity for All Students Act (DASA). This law seeks to “provide students with a safe and supportive environment from discrimination, intimidation, taunting, harassment, and bullying (including cyber bullying) on school property, a school bus and/or at a school function.” Discrimination and harassment is prohibited by employees or students based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex. To read the full Dignity for All Students Act, please visit <http://www.p12.nysed.gov/dignityact/>.

### **Student Searches**

The Charter High School for Law and Social Justice may, at its discretion and at any time, conduct searches of students and their property, including but not limited to backpacks.

- School authorities will make a reasonable search of a student’s locker, desk, or other school-related property only when there is reasonable suspicion that a student is in possession of an item which is prohibited on school property or which may be used to disrupt or interfere with the educational process. Students do not have a reasonable expectation of privacy in lockers, desks or other areas of the school.
- Searches shall be conducted under the authorization of the Principal or his/her designee.
- Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed by school authorities.
- Searches of an individual will be made on individual suspicion of wrongdoing. To the extent practicable, searches of an individual will be conducted in private by a school official of the same sex and with another witness present.
- Searches of students and school property may be conducted on school grounds or whenever the student is involved with or attending a school-sponsored or related function, whether it is on school grounds or not.

*See Appendix A for a full description of the school’s search policy.*

## **School Trips & Off-Campus Events Policy**

School trips afford students the opportunity to observe, explore, discover, and engage in hands-on experiences. The school may sponsor trips before, during, or after school hours. Students at school-sponsored off-campus event or field trip shall be governed by all the guidelines of the school and are subject to the authority of school officials. All school trips and off-campus events will have an educational or appropriate celebratory focus and be viewed as an extension of the curriculum and the learning environment. Parents/guardians **must** complete a permission slip permitting their child to attend the school trip.

Parents who do not consent to their child attending a school trip should understand that their child's attendance at school is **mandatory**, as it is still a normal school day. Their respective Professors will leave appropriate work for the student to complete during the course of the school day.

Parents and students should understand that attending a school trip is a privilege. Therefore any student who has committed an infraction of the school conduct policies or who is currently in a disciplinary status will **not** be permitted to attend school trips or off-campus events. The school reserves the right to determine which students may or may not be permitted to attend a school trip.

Students and parents/guardians will be informed if they have to bring a bagged lunch from home if they are attending a school field trip.

## **Care of School Property Policy**

We expect each student to be responsible for the proper care of school property, including the school building and classrooms, books, desks, textbooks, supplies, and equipment and technology entrusted to his/her use.

Students are responsible for the care, maintenance, and timely return of all textbooks or other materials. The school shall require students and/or parents to sign agreements acknowledging their responsibility for the care and prompt return of textbooks or other material lent to them by the school.

Students and/or their parents will be assessed penalties for lost or damaged textbooks and school property. Imposition of one or more of the following penalties is permitted: a charge for replacement of the textbook, property; requiring the student to perform a prescribed number of hours of school service; delayed receipt of a report card; and/or loss of privileges such as participation in sports or other extracurricular activities, and other special events or graduation-related activities.

Students who willfully cause damage to school/staff property shall be subject to disciplinary measures. Students and others who damage or deface school property may be prosecuted and punished under law. Parents and guardians of students shall be held accountable for student actions. The Principal may report to the appropriate authorities any student whose damage of school/staff property has been serious or chronic in nature. The Principal can impose any of the available consequences for destruction of school or staff property.

## **The Charter High School for Law and Social Justice Discipline Policy**

*(This is a condensed version of the full Discipline Policy, which is attached in its entirety as Appendix A. You are urged to read Appendix A in its entirety.)*

CHSLSJ's discipline system incorporates the principles of restorative practices. Restorative practices is a social science that studies how to build social capital and achieve social discipline through participatory learning and decision making. The aim of restorative practices is to develop community and to manage conflict and tensions by repairing harm and building relationships. This statement identifies both proactive (building relationships and developing community) and reactive (repairing harm and restoring relationships) approaches. Schools that only use the reactive without building the social capital beforehand are less successful than those that also employ the proactive. The use of restorative practices helps to:

- reduce crime, violence and bullying
- improve human behavior
- strengthen civil society
- provide effective leadership
- restore relationships
- repair harm

Restorative practices include the use of informal and formal processes that precede wrongdoing, those that proactively build relationships and a sense of community to prevent conflict and wrongdoing. Where social capital—a network of relationships—is already well established, it is easier to respond effectively to wrongdoing and restore social order—as well as to create a healthy and positive organizational environment. Social capital is defined as the connections among individuals and the trust, mutual understanding, shared values and behaviors that bind us together and make cooperative action possible. For example, unlike traditional discipline systems that only punish the offender for wrongdoing, restorative practices offers victims and their supporters an opportunity to talk directly with offenders.

Restorative practices also strive to ensure that all individuals in the school community are treated fairly through fair process. The central idea of fair process is that individuals are most likely to trust and cooperate freely with systems—whether they themselves win or lose by those systems—when fair process is observed. The three principles of fair process are:

- *Engagement* — involving individuals in decisions that affect them by listening to their views and genuinely taking their opinions into account
- *Explanation* — explaining the reasoning behind a decision to everyone who has been involved or who is affected by it



- *Expectation clarity* — making sure that everyone clearly understands a decision and what is expected of them in the future

While the consistent use of restorative practices will not eliminate wrongdoing or the need for school-issued consequences, the expectation is that the use of restorative practices will result in increased social capital and contribute to an environment in which misbehavior is less likely to occur.

In an effort to maintain a safe learning environment that enforces the CHSLSJ culture of achievement and respect, CHSLSJ adopts the following discipline system. This system is designed to keep our students where they need to be: in the classroom and in school. It is designed to be fair and consistent. CHSLSJ rules strive to create a caring, safe, and serious learning environment. Respect, courtesy, self-discipline and a serious focus are all hallmarks of the school. These rules support the foundation of academic and ethical standards on which CHSLSJ goals depends. The school's disciplinary policies apply to student behavior on school grounds, at school related events, when students are in transit to or from school and to activities such as use of social media, that takes place away from the school but negatively impacts the school environment. This section is a summary of the community rules, code of conduct, and the logical consequences. For the official language, please see Appendix A of the handbook.

## **The Classroom**

Every Professor at CHSLSJ is responsible for implementing the classroom management system developed by the school. The classroom management system will foster the healthy development of each student using the CHSLSJ model, encourage a strong community of learning within the classroom and **provide adequate opportunities for students to correct their behavior before being removed from the classroom.**

Professors will adhere to a value-based merit system to provide clear reinforcement and logical consequences for student conduct:

- Each student is given three opportunities to correct disruptive behavior. On the third offense, the student will be removed from class. This count will be reset each class period.
- If the teacher determines that the student's behavior is egregiously disruptive or dangerous that it compromises the safety of the teacher and/or other safety, the student will be removed from the class immediately
- A Professor can request that a student be removed for the remainder of the class period or until the student has "cooled off" and permitted to return to class.

## **Removal from the Classroom**

Upon a student's third opportunity during a class period, the student will be removed from class and will be sent to the Culture Office. This is a location in the school which is monitored full-time by the Deans. During this time students will reflect on the events in the class and complete a reflection form. The Deans will engage the student in the restorative process. **Students who are removed from class may receive a detention at the discretion of the teacher or Deans. If a student is to receive a detention, a parent will be notified.**

Attendance to detention is **MANDATORY**. Students who do not attend detention will receive additional consequences up to and including suspension. In general, there are no make-ups for detention. Under **EXTREME** circumstances (e.g., family emergency) students may be allowed to reschedule detentions after discussion with the parent.

Professors will meet with the student for a restorative conversation and contact the student's parents/guardians to discuss the incident before the end of the school day. This conversation must take place before student can rejoin the class the next time the class meets.

### **In-School Suspension (ISS)**

Students who are removed from three classes in one week, or five classes in a month will be referred to ISS. Students can also be automatically referred to ISS if they exhibit behavior that is extremely disruptive, unsafe, or disrespectful to a Professor, staff member, or student in the school. Parents of students who are issued an ISS will be provided a notice to inform the student and parent of the charges, and if the student denies the charges, an explanation of the evidence against the student will be provided. Students will have a chance to present their version of the events and the school will offer to speak with the parents about the suspension and answer their questions about it. A parent meeting may be called before a student is allowed to return to class.

### **Out of School Suspension (OSS)**

While we prefer to have our students in school and in class at all times if it is determined that a student's actions pose a threat to the safety of the school community and disruption, the school is left with no other option than to remove the student from school for a limited time. When a student is suspended during the school day, the student's family will be contacted immediately to pick up the student or arrange for the student to be sent home. Parents of students who are issued an OSS will be provided a notice to inform the students of the charges, and if the student denies the charges, an explanation of the evidence against the student will be provided. Students will have a chance to present their version of the events and the school will offer to speak with the parents about the suspension and answer their questions about it. Before the student can return to class, the family will have a conference with either the Principal or the Principal's Designee. The student will not be admitted to class until this conference has occurred. It is the responsibility of the family to reschedule any missed conferences.

The suspending school official will decide the exact number of days for the suspension depending on the severity of the offense and the student's previous disciplinary record.<sup>1</sup>

In addition to receiving three (3) in-school suspensions for the year, the following behaviors may warrant an immediate out-of-school suspension recommendation:

- Fighting
- Touching another student in an inappropriate manner
- Harassing or posing threats to Professor/staff/student(s)
- Exposing oneself to other school members

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<sup>1</sup> Where the school seeks to impose a long term suspension or expulsion, a hearing will be convened to determine whether such steps are appropriate. See Appendix A.

- Bullying
- Firearm/Weapon
- Leaving school building/property or ISS without permission
- Harmful social media posting
- Committing Arson
- Falsely Activating Fire Alarms
- Possession of illegal drugs/substances

## **Expulsion**

In addition to receiving three (3) out of school suspensions in one school year, the following activities will earn a student an immediate expulsion hearing recommendation:

- Possession of Alcohol/Drugs/Tobacco
- Possession of Weapons
- Use/influence of alcohol, drugs, tobacco on school grounds/bus/field trip or during school functions
- Gang activity/affiliation
- Behavior that threatens the community

## **The discipline of students with Special Needs**

CHSLSJ recognizes that it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address disruptive or problem behavior. The school also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The school is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. In the event that your student with a disability is suspended for more than 10 school days, a range of protections will apply to ensure that he or she is not punished for behavior that is linked to disabilities.

*For the language regarding discipline for students with Special Needs, please see Appendix A.*

## **Conclusion**

This system will be documented using an online tracking system. Through this system, the staff at CHSLSJ will be able to monitor a student's discipline record on their computer. The Culture Department will record all referrals into the computer system, and all parent communications will be documented as well. It is our hope that with this system; staff and administration will be able to better track student behavior in an effort to intervene with students who need extra guidance and support during the school day. A call from a Professor or Dean will be made when a student has been removed from class, issued an In-School Suspension (ISS) or Out of School Suspension (OSS) or any other event that is deemed to require the attention of a parent or guardian. The full Discipline Policy including Discipline Policy for students with Disabilities is included in Appendix A., Please read it in its entirety.

## **APPENDIX A – School Discipline Policy**

To ensure that an environment is created where teaching and learning can thrive, The Charter High School for Law and Social Justice has developed a series of rules that address proper student behavior, maintenance of order within the school and while people are engaged in school activities, and a statement of student rights and responsibilities.

School staff will ensure that parents and students are well informed of these policies before enrollment, at the time that students sign up for entry into the charter school, and as changes are made throughout the school year. As such, students will not be surprised about what type of behavior is expected from them, and parents will be reassured about the type of classroom environment that will be maintained in the The Charter High School for Law and Social Justice.

It is critical that faculty and staff have a full understanding of the school’s discipline policy, are clear on recognizing situations in which students’ behavior is in proper accordance with the policy and when the policy has been violated, and are versed in the various procedures and policies surrounding varying degrees of infractions of the policy. All staff will be provided with professional development on school discipline issues, in particular implementing the discipline policy as well as implementing overall consistent and effective behavior management and discipline strategies in the classroom and in the greater school community. Staff will be provided with training in this area as close to the start of the school year as possible or shortly upon their engagement with the school, if they are hired during the school year. Follow-up training throughout the year will be provided if deemed necessary.

This policy sets forth the The Charter High School for Law and Social Justice’s policy regarding how students are expected to behave when participating in school activities, on and off school grounds, and how the school will respond when students fail to behave in accordance with these rules. In all disciplinary matters, students will be given notice and will have the opportunity to present their version of the facts and circumstances leading to the imposition of disciplinary sanctions to the staff member imposing such sanctions. Depending on the severity of the infraction, disciplinary responses include, but are not limited to, suspension (short or long term), detention, exclusion from extracurricular activities, and expulsion. Where appropriate, school officials also will contact law enforcement agencies.

### **Behavior Matrix & Range of Consequences**

There are **five levels** to our behavior system. All behaviors that a student exhibits whether positive or negative fall onto a continuum of small behaviors like a one-time giggle in class to fighting, and violent aggressive behaviors. This behavior matrix exists to help students, parents, professors, and administration determine the difference between actions. **A key point to remember is that people are complex and therefore actions need to be determined on a case-by-case basis.**

<b>Level #1 Infractions (Insubordinate Behavior)</b>	<b>Range of Possible Disciplinary Responses</b>
<ol style="list-style-type: none"> <li>1. Bringing prohibited equipment to school without authorization (cell phones, mp3 players, toys, electronic devices)</li> <li>2. Failing to be in one's assigned place on school premises (staying within your classroom/ in your assigned spot).</li> <li>3. Behaving in a manner which disturbs the education process (e.g., making excessive noise verbally and physically, singing when inappropriate, interruptions, calling-out, humming, in the classroom and in the hallway, etc.)</li> <li>4. Engaging in verbally rude or disrespectful behavior (to both professors and peers: talking back when given a direction, name-calling, mimicking, harassing, teasing, taunting, etc.)</li> <li>5. Wearing clothing or other items that are unsafe or disruptive to the educational process (not wearing uniform, wearing non-school regulated street clothes, not wearing closed-toed shoes, etc.)</li> <li>6. Posting or distributing material on school premises in violation of written The Charter High School for Law and Social Justice's rules.</li> <li>7. Using school computers, faxes, telephones, or other electronic equipment without permission</li> <li>8. Being late to school</li> <li>9. Using or touching other people's property without permission (both professors' and peers' property, belongings, equipment, supplies, etc.)</li> </ol>	<ol style="list-style-type: none"> <li>1. Restorative Conferencing</li> <li>2. Reprimand by appropriate supervisor (e.g., Head of School, professor)</li> <li>3. Parent conference</li> <li>4. In-school disciplinary action (e.g., exclusion from extracurricular activities, recess, detention, or communal lunchtime)</li> <li>5. Removal from classroom by professor (After a student is removed from a classroom by any professor three times during a semester, suspension must be sought if the student engages in subsequent behavior that would otherwise result in removal by a professor)</li> <li>6. Short term suspension (1-5 days)</li> </ol>

<b>Level #2 Infractions (Disorderly, Disruptive Behaviors)</b>	<b>Range of Possible Disciplinary Responses</b>
<ol style="list-style-type: none"> <li>1. Using profane, obscene, vulgar, lewd, or abusive, language or gestures</li> <li>2. Lying, or giving false information to school personnel</li> <li>3. Misusing property belonging to others (including breaking, destroying, ripping, etc.).</li> <li>4. Engaging in or causing in disruptive behavior on the school bus, causing safety issues to the driver, students, and self. *</li> <li>5. Leaving class or school premises without permission of supervising school personnel.</li> <li>6. Engaging in inappropriate or unwanted physical contact (poking, pinching, tapping, throwing of objects, etc.).</li> <li>7. Violating The Charter High School for Law and Social Justice’s Internet use policy, e.g., use of the school’s system for no-educational purposes, security/privacy violations</li> <li>8. Engaging in scholastic dishonesty, which includes: cheating, plagiarizing, colluding, copying, etc.</li> <li>9. Plagiarizing (appropriating someone’s work and using it as one’s own for credit without required citation and attribution.)</li> <li>10. Colluding (engaging in fraudulent collaboration with another person in preparing written work for credit.)</li> <li>11. Engaging in a pattern of persistent Level 1 behavior (whenever possible and appropriate, prior to imposing a Level 2 disciplinary response, school should have exhausted the disciplinary responses in Level 1 infractions)</li> </ol>	<ol style="list-style-type: none"> <li>1. Restorative Conferencing</li> <li>2. Reprimand by appropriate supervisor (e.g., Head of School, professor)</li> <li>3. Parent conference</li> <li>4. In-school disciplinary action (e.g., exclusion from extracurricular activities, recess, detention, or communal lunchtime)</li> <li>5. Removal from classroom by professor (After a student is removed from a classroom by any professor three times during a semester, a suspension must be sought if the student engages in subsequent behavior that would otherwise result in removal by a professor)</li> <li>6. Short term suspension (1-5 days)</li> </ol>

<b>Level #3 Infractions (Seriously Disruptive or Dangerous Behaviors)</b>	<b>Range of Possible Disciplinary Responses</b>
<ol style="list-style-type: none"> <li>1. Being insubordinate; defying or disobeying the lawful authority of school personnel or school safety agents.</li> <li>2. Using slurs based upon race, ethnicity, color, national origin, religion, gender, sexual orientation, or disability.</li> <li>3. Fighting/ engaging in physical aggressive behavior (hitting, punching, spitting, kicking, hitting with an object, etc.).</li> <li>4. Bringing unauthorized visitors to school or allowing unauthorized visitors to enter school in violation of written school rules.</li> <li>5. Engaging in theft or knowingly possessing property belonging to another without authorization.</li> <li>6. Engaging in inappropriate or unwanted physical contact*.</li> <li>7. Tampering with, changing or altering a record or document of a school by any method, including, but not limited to, computer access or any electronic means.</li> <li>8. Posting or distributing libelous or defamatory material or literature or material containing a threat of violence, injury or harm.</li> <li>9. Engaging in vandalism or other intentional damage to school property, staff property, or others; including student bathrooms.</li> <li>10. Falsely activating a fire alarm or other disaster alarm or making a bomb threat.</li> <li>11. Engaging in gang related behavior (e.g., wearing gang apparel, writing graffiti, making gestures or signs)</li> <li>12. Engaging in a pattern of persistent Level 2 behavior** (Whenever possible and appropriate, prior to imposing a Level 3 disciplinary response, school officials should have exhausted the disciplinary responses in Level 2. Further, repeated Level 2 infractions are limited to Level 3 disciplinary responses.)</li> <li>13. Smoking and /or use of electronic cigarettes and/or possession of matches or lighters.</li> <li>14. Gambling.</li> </ol>	<ol style="list-style-type: none"> <li>1. Restorative Conferencing</li> <li>2. Reprimand by appropriate supervisor (e.g., Head of School)</li> <li>3. Parent conference</li> <li>4. In-school disciplinary action (e.g., exclusion from extracurricular activities, recess, detention, or communal lunchtime)</li> <li>5. Removal from classroom by professor (After a student is removed from any classroom by any professor three times during a semester, a Head of School’s suspension must be sought if the student engages in subsequent behavior that would otherwise result in removal by a professor)</li> <li>6. Short term suspension (1-5 days)</li> <li>7. Long term suspension (6-30 days)</li> </ol> <p>*The school will offer appropriate counseling to students engaging in this behavior</p> <p>**This infraction applies only to infractions 1-8 in Level 2, grades K-5</p>

Level #4 Infractions (Dangerous or Violent Behavior)	Range of Possible Disciplinary Responses
<ol style="list-style-type: none"> <li>1. Engaging in intimidation, coercion or extortion or threatening violence, injury, harm or retaliation to another or others.</li> <li>2. Engaging in behavior, which creates a substantial risk of or results in injury.</li> <li>3. Engaging in intimidating and bullying behavior-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, including intimidation through the use of epithets or slurs involving race, ethnicity, national origin, religion, religious practice, gender, sexual orientation or disability. This includes cyber bullying.</li> <li>4. Engaging in sexual harassment* (to peers or school staff).</li> <li>5. Possessing illegal drugs, alcohol or controlled substances without appropriate authorization. *</li> <li>6. Engaging in threatening, dangerous or violent behavior, which is gang-related. (Disciplinary responses 4-6 only)</li> <li>7. Participating in an incident of group violence. (Disciplinary responses 4-6 only)</li> <li>8. Threatening while on school property, to use any instrument that appears capable of causing physical injury. (Disciplinary responses 4-6 only)</li> <li>9. Engaging in behavior on the school bus, which creates a substantial risk of injury or results in injury. (Disciplinary responses 4-6 only)</li> <li>10. Engaging in physical sexual aggression/compelling or forcing another to engage in sexual activity. * Disciplinary responses 4-6 only)</li> <li>11. Committing arson. (Disciplinary responses 4-6 only)</li> <li>12. Inciting/causing a riot. (Disciplinary responses 4-6 only)</li> <li>13. Possessing any weapon as defined in Category II.*** (Disciplinary responses 4-6 only)</li> <li>14. Using illegal drugs, alcohol or controlled substances without appropriate authorization. *(Disciplinary responses 4-6 only)</li> <li>15. Engaging in a pattern of persistent Level 3 behavior*** (Whenever possible and appropriate, prior to imposing a Level 4 disciplinary response, school officials should have exhausted the disciplinary responses in Level 3. Further, repeated Level 3 infractions are limited to Level 4 disciplinary responses)</li> </ol>	<ol style="list-style-type: none"> <li>1. Restorative Conferencing</li> <li>2. Parent conference</li> <li>3. In-school disciplinary actions (e.g., exclusion for extracurricular activities, recess, detention, or communal lunchtime)</li> <li>4. Removal from classroom by any professor. (After a student is removed from any classroom by any professor three times during a semester or twice in a trimester, a Head of School’s suspension must be sought if the student engages in subsequent behavior that would otherwise result in a removal by a professor.)</li> <li>5. Short term suspension (1-5 days)</li> <li>6. Long term suspension (6-30 days)</li> <li>7. Expulsion</li> </ol> <p>*The school should offer appropriate counseling to students who engage in this behavior</p> <p>***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 Head of School must consider whether there are mitigating factors present. In addition, the Head of School must consider whether an imitation gun is realistic looking by considering factors such as its color, size, shape, appearance and weight.</p>



<b>Level #5 Infractions (Seriously Dangerous or Violent Behavior)</b>	<b>Range of Possible Disciplinary Responses</b>
<ol style="list-style-type: none"> <li>1. Using force against or inflicting or attempting to inflict serious injury against school personnel or school safety agents.</li> <li>2. Using extreme force against or inflicting or attempting to inflict serious injury upon students or others.</li> <li>3. Selling or distributing illegal drugs or controlled substances. *</li> <li>4. Possessing any weapon, other than a firearm, as defined in Category I.</li> <li>5. Using any weapon as defined in Category II to attempt to inflict injury upon school personnel, students or others.</li> <li>6. Using any weapon, other than a firearm, as defined in Category I or II to inflict injury or Category I to attempt to inflict injury upon school personnel, students or others.</li> <li>7. Possessing or using a firearm**</li> </ol>	<ol style="list-style-type: none"> <li>1. Restorative conferencing</li> <li>2. Short term suspension (1-5 days)</li> <li>3. Long term suspension (6-30 days)</li> <li>4. Expulsion</li> </ol> <p>*The school will offer appropriate counseling to students engaging in this behavior  **In determining whether the behavior is gang related, school officials may consult with the New York City’s Office of School Safety and Planning’s Gang Unit.</p>

**Prohibited Weapons Policy**

<b>Prohibited Weapons – Category I</b>	<b>Prohibited Weapons – Category 2</b>
<ul style="list-style-type: none"> <li>● Firearm, including pistol and handgun, silencers, electronic darts and stun gun;</li> <li>● Shotgun, rifle, machine gun, or any other weapon which simulates or is adaptable for use as a machine gun;</li> <li>● 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);</li> <li>● Switchblade knife, gravity knife, pilum ballistic knife; and cane sword (a cane that conceals a knife or sword);</li> </ul>	<ul style="list-style-type: none"> <li>● Imitation gun;</li> <li>● Loaded or blank cartridges and other ammunition;</li> <li>● Stink bombs;</li> <li>● Stun pens;</li> <li>● 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, laser beam, pointers).</li> </ul>

- Dagger, stiletto, dirk, razor, box cutter, utility knife and other dangerous knives;
- Billy club, blackjack, bludgeon, chucka stick, and metal knuckles;
- Sandbag and sandclub;
- Slingshot (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, firecrackers, and bombshells.
- Acid or deadly or dangerous chemicals;

### **Firearm Violations**

Federal and New York law 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 the school, or to have possessed a firearm at school, except that the Head of School may modify such expulsion requirement for a student on a case-by-case basis, if such modification is in writing, in accordance with the Federal Gun-Free Schools Act of 1994 (as amended).

“Weapon,” as used in this law means a “firearm,” as defined by 18 USC § 921, and includes firearms and explosives. (New York Education Law §3214 effectuates this federal law.) The following are included within this definition:

- 1) Any device, instrument, material, or substance that is used for or is readily capable of causing death or serious bodily injury. Knives with a blade of two and half inches or more in length fall within this definition;
- 2) Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- 3) The frame or receiver of any weapon described above;
- 4) Any firearm muffler or firearm silencer;
- 5) Any destructible device, which is defined as any explosive, incendiary, or poison gas, such as a bomb, grenade, rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or other similar device.

The Head of School/Principal shall refer a student under the age of sixteen who has been determined to have brought a weapon or firearm to school to a presentment agency for a juvenile delinquency proceeding consistent with Article 3 of the Family Court Act except a student fourteen or fifteen years of age who qualifies for juvenile offender status under Criminal Procedure Law § 1.20(42). The Head of School shall refer any pupil sixteen years of age or older or a student fourteen or fifteen years of age who qualifies for juvenile offender status under Criminal Procedure Law § 1.20(42), who has been determined to have brought a weapon or firearm to school to the appropriate law enforcement officials.

## **Short Term Suspension**

A short-term suspension refers to an in-school removal or out-of-school removal of a student for disciplinary reasons for a period of five or fewer days. A student who has committed any of the infractions listed below shall be subject minimally to a short-term suspension, unless the Head of School determines that an exception should be made based on the individual circumstances of the incident and the student's disciplinary record. The Head of School reserves the right to adjust the punishment for each infraction per his or her judgment.

### **Disciplinary Infractions**

#### **Procedures and Due Process for Short Term Suspension**

The Head of School may impose a short-term suspension, and shall follow due process procedures consistent with federal case law pursuant to *Goss v. Lopez* (419 U.S. 565). Before imposing a short term suspension, or other, less serious discipline, the Executive Director/Head of School shall provide notice to inform the student of the charges against him or her, and if the student denies the charges, an explanation of the evidence against the student. A chance to present the student's version of events shall also be provided.

Before imposing a short-term suspension, the Head of School shall immediately notify the parents or guardian in writing that the student may be suspended from school. Written notice of the decision to impose suspension shall be provided by personal delivery or express mail delivery within 24 hours at the last known address(es) of the parents or guardian. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the parents or guardian of their right to request an immediate informal informational conference with the Head of School. Such notice and informal conference shall be in the dominant language or mode of communication used by the parents or guardians. Such notice and opportunity for an informal conference shall take place prior to the suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon as possible after the suspension as is reasonably practicable.

The Head of School's decision to impose a short-term suspension may be challenged by the parent(s) or guardian in accordance with The Charter High School for Law and Social Justice's complaint process.

### **Long Term Suspension/Expulsion**

A long-term suspension refers to the removal of a student from school for disciplinary reasons for a period of more than five days. Expulsion refers to the permanent removal of a student from school for disciplinary reasons. A student who is determined to have committed a serious infraction on the Behavior Matrix (e.g., Level 4 or 5 violations) shall be subject to a long-term suspension or expulsion, unless the Head of School determines that an exception should be made based on the circumstance of the incident and the student's disciplinary record. Such a student may also be subject to any of the disciplinary measures outlined elsewhere in this document including a referral to the appropriate law enforcement authorities.

A student who commits any of the acts previously described as causes for short term-suspension may, instead or in addition, be subject to a long-term suspension at the Head of School's discretion only if the student has committed the act at least three times in the academic year.

### **Procedures and Due Process for Long Term Suspension or Expulsion**

The Head of School may impose a long-term suspension or expulsion. Such consequences may be imposed only after the student has been found guilty at a formal disciplinary hearing. Upon determining that a student's action warrants a possible long-term suspension or expulsion, the Head of School shall verbally inform the student that he or she is being suspended and is being considered for a long-term suspension or expulsion and state the reasons for such actions. The Head of School also shall immediately notify the student's parent(s) or guardian(s) in writing. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within 24 hours of suspension at the last known address. Where possible, notification also shall be provided by telephone if the school has been provided with a contact telephone number for the parent(s) or guardian(s). Such notice shall provide a description of the incident or incidents that resulted in seeking the suspension or expulsion and shall indicate that a formal hearing will be held on the matter, which may result in a long-term suspension (or expulsion). The notification provided shall be in the dominant language used by the parent(s) or guardian(s). At the formal hearing, the student shall have the right to be represented by counsel, question witnesses, present evidence and challenge evidence presented against the student.

If the Head of School shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer's report shall be advisory only and the Head of School may accept or reject all or part of it. The Head of School's decision to impose a long-term suspension or expulsion may be challenged by the parent or guardian through an appeal process to the Board of Trustees. Parents / guardians interested in making an appeal should notify the Head of School in writing within 5 days of receiving the hearing officer's report. NOTE: In any instance where the Head of School is directly involved in the instance(s) at issue for a suspension or expulsion, the Head of School shall appoint a designee to handle any investigation, hearing and determination.

### **Provision of Instruction During Removal**

The 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. For a student who has been suspended, alternative instruction will be provided to the extent required by applicable law. For a student who has been expelled, alternative instruction will be provided in like manner as a suspended student until the student enrolls in another school for a reasonable period thereafter or until the end of the school year.

Alternative instruction will be provided to students suspended or expelled in a way that best suits the needs of the student. Instruction for such students shall be sufficient to enable the student to make adequate academic progress, and shall provide them the opportunity to complete the assignments, learn the curriculum and participate in assessments. Instruction will take place in one

of the following locations: the child's home, a contracted facility (e.g., in the school district of location), or a suspension room or other room at the school. During any removal for drug or weapon offenses, additional services shall include strategies designed to prevent such behavior from recurring.

### **Search and Seizure**

A student and/or the student's belongings may be searched by a school official if the official has a reasonable suspicion to believe that a search of that student will result in evidence that the student violated the law or a school rule. Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from the student by school authorities and returned to parents at the school or turned over to law enforcement as appropriate.

All school-related property always remains under the control of the School and is subject to search at any time. School-related property includes but is not limited to computers, lockers, cabinets, desks, bookcases, buses and other vehicles and items controlled or directed by school officials in the support of educational-related programs or activities. The school is not responsible for books, clothing, or valuables left in lockers or desks. A student shall not place or keep in a locker, desk or other school-related property any article or material which is of a non-school nature and may cause or tend to cause the disruption of the mission of the school. The following rules will apply to the search of school property assigned to a specific student and the seizure of illegal items found therein:

- School authorities will make a reasonable search of a student's locker, desk, or other school-related property only when there is reasonable suspicion that a student is in possession of an item which is prohibited on school property or which may be used to disrupt or interfere with the educational process
- Searches shall be conducted under the authorization of the Principal or his/her designee
- Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed by school authorities
- Searches of an individual will be made on individual suspicion of wrongdoing. To the extent practicable, searches of an individual will be conducted in private by a school official of the same sex and with another witness present
- Searches of students and school property may be conducted on school grounds or whenever the student is involved with or attending a school sponsored or related function, whether it is on school grounds or not

### **Searches of Students**

In the event of a situation which requires immediate intervention to protect the safety and security of the school community or any individual, if there is a reasonable suspicion that a student is in violation of the law (i.e., rumors of drugs or dangerous weapon, smell of alcohol or marijuana), and/or if it is known that a student has been in recent violation of the school's weapon/drug/alcohol policies, the school may conduct searches of students and student property. This includes, but is not limited to, backpacks. School desks, lockers and other equipment remain the property of the school and students should have no expectation of privacy in these areas. Prior to any search, students will be given an opportunity to produce any item in his/her possession that should not be in school.

Should a student refuse to cooperate with a search request, the school may confiscate the property in question. Law enforcement may also be contacted to assist with a search, as appropriate.

A school search will be justified at its inception if the school officials had reasonable grounds to suspect it would turn up evidence that a student violated or was violating law or school rules. The scope of the search will be permissible if the measures used were related to the objectives of the search, and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

The family of the student who has been searched will be notified of the incident.

### **Freedom of Expression**

Students are entitled to express their personal opinions verbally, in writing, or by symbolic speech. The expression of such opinions, however, shall not interfere with the freedom of others to express themselves, and written expression of opinion must be signed by the author. Any form of expression that involves libel, slander, the use of obscenity, or personal attacks, or that otherwise disrupts the educational process, is prohibited. All forms of expression also must be in compliance with the student disciplinary policy and the school dress code, violations of which are punishable as stated in the disciplinary policy.

Student participation in the publication of school-sponsored student newsletters, yearbooks, literary magazines and similar publications is encouraged as a learning and educational experience. These publications, if any, shall be supervised by qualified faculty advisors and shall strive to meet high standards of journalism. In order to maintain consistency with the school's basic educational mission, the content of such publications is controlled by school authorities.

No person shall distribute any printed or written materials on school property without the prior permission of the Head of School. The Head of School may regulate the content of materials to be distributed on school property to the extent necessary to avoid material and substantial interference with the requirements of appropriate discipline in the operation of the school. The Head of School may also regulate the time, place, manner and duration of such distribution.

### **Off-Campus Events**

Students at school-sponsored off-campus events shall be governed by all the guidelines of the school and are subject to the authority of school officials. Failure to obey the lawful instructions of school officials shall result in a loss of eligibility to attend school-sponsored off-campus events and may result in additional disciplinary measures in accordance with the student disciplinary policy. Students in uniform off campus represent the school and will be held to the same rules and regulations as if they are on campus.

## **Student Records**

The Charter High School for Law and Social Justice will maintain written records of all suspensions and expulsions including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons. The Charter High School for Law and Social Justice will comply with NYSED's VADIR data collection requirements and disciplinary data and submit that information to NYSED by required deadlines.

Charter schools are subject to the federal Family Education Rights and Privacy Act of 1974 (FERPA), which requires a school to protect a student's privacy. The Charter High School for Law and Social Justice will not disclose any information from the student's permanent records except as authorized pursuant to FERPA, or in response to a subpoena, as required by law. The parent(s) or guardian(s) of a student under 18 years of age, or a student 18 years of age or older, is entitled to access to the student's school records by submitting a written request to the Head of School. Further information concerning the disclosure of student information and limitations on such disclosure may be found in FERPA and the school's FERPA policy.

## **Disciplinary Policy for Students with Disabilities**

In addition to the discipline procedures applicable to all students, The Charter High School for Law and Social Justice shall implement the following disciplinary policy procedures with respect students with disabilities. [A student not specifically identified as having a disability but whose school district of residence or charter school, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR 300.527(b)—that a disability exists may request to be disciplined in accordance with these provisions.] The Charter High School for Law and Social Justice shall comply with sections 300.519- 300.529 of the Code of Federal Regulations (CFR) and the following procedures, except that in the event that the following procedures are inconsistent with federal law and regulations, such federal law and regulations shall govern.

If a student violates the School's discipline code and is being considered for a suspension or removal, the School must ensure the following due process protections are provided to the student and to the student's parent(s) in addition to those set forth in the regular education discipline code. For suspensions of five school days or less, the student's parent(s) or guardian must be provided with a written notice, and a follow up telephone call if possible, within 24 hours of the incident leading up to the suspension which describes the basis for the suspension and explains that the parent or guardian has the right to request an informal conference with the Head of School and appropriate staff to discuss the incident and question any complaining witness against the student. For suspensions in excess of five consecutive school days, the student's parent(s) or guardian must be provided with a written notice which indicates that the district proposes to suspend the student from school in excess of five consecutive school days, describes the basis for the proposed suspension, explains that the student has an opportunity for a fair hearing conducted by the Head of School or his or her designee at which the student will have a right to question any witnesses accusing him/her of committing the misconduct charge and to present witnesses on his/her behalf. Where possible, notification must also be provided by telephone. In addition, the School must provide alternative education to the student during the suspension as set forth below, including any special services required by the Individualized Education Program (IEP) prepared by the student's Committee on Special Education (CSE) of their district of

residence. The Head of School/Principal shall make final determination on a suspension or removal of a student, following due process.

The school shall maintain written records of all suspensions and expulsions of students with a disability including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

Students for whom the IEP includes a Behavior Intervention Plan (BIP) will be disciplined in accordance with the BIP. If the BIP appears not to be effective or if there is a concern for the health and safety of the student or others if the BIP is followed with respect to the infraction, the matter will be immediately referred to the CSE of the student's district of residence for consideration of a change in the guidelines.

If a student identified as having a disability is suspended during the course of the school year for total of eight days, such student will immediately be referred to the CSE of the student's district of residence for reconsideration of the student's educational placement. Such a student shall not be suspended for a total of more than ten days during the school year without the specific involvement of the CSE of the student's district of residence prior to the eleventh day of suspension, because such suspensions may be considered to be a change in placement. In considering the placement of students referred because of disciplinary problems, the CSE of the student's district of residence is expected to follow its ordinary policies with respect to parental notification and involvement.

CHSLSJ shall work with the district to ensure that the CSE of the student's district of residence meets within 7 days of notification of any of the following: (1) The commission of an infraction by a student with a disability who has previously been suspended for the maximum allowable number of days; (2) The commission of any infraction resulting from the student's disability; (3) The commission of any infraction by a disabled student, regardless of whether the student has previously been suspended during the school year if, had such infraction been committed by a non-disabled student, the Head of School would seek to impose a suspension in excess of 5 days.

Also, The Charter High School for Law and Social Justice will ensure that when the suspension or removal of a student with a disability will constitute a disciplinary change of placement, the CSE will be immediately notified so that the CSE can meet its required obligations to:

- 1) Convene a CSE meeting within 10 school days to make a manifestation determination.
- 2) Convene a CSE meeting within 10 business days to develop a plan to conduct a functional behavioral assessment or review an existing functional behavioral assessment or behavioral intervention plan.
- 3) Provide the student's parent with a copy of their procedural due process rights.
- 4) Work closely with the CSE of the students' district of residence in determining education services or the interim alternative educational setting consistent with the FAPE requirements.

### **Provision of Services During Removal**

Those students removed for a period of fewer than ten days will receive all classroom assignments and a schedule to complete such assignments during the time of his or her suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a



result of such suspension. The Charter High School for Law and Social Justice also shall provide additional alternative instruction with the reasonable promptness and by appropriate means to assist the student, so that the student is given full opportunity to complete assignments and master curriculum, including additional instructions, phone assistance, computer instruction and/or home visits and one-on-one tutoring.

During any subsequent removal that, combined with previous removals equals ten or more school days during the school year, but does not constitute a change in placement, services must be provided to the extent determined necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. In these cases, school personnel, in consultation with the child's special education professor, shall make the service determination.

During any removal for drug or weapon offenses [pursuant to 34 CFR §300.520(a)(2)] services will be provided to the extent necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. These service determinations will be made by the CSE of the student's district of residence. The school will place students in interim alternative educational settings as appropriate and mandated by 34 CFR §300.520(a)(2).

During any subsequent removal that does constitute a change in placement, but where the behavior is not a manifestation of the disability, the services must be provided to the extent necessary to enable the student to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. The CSE of the student's district of residence will make the service determination.

### **CSE Meetings**

Meetings of the CSE of the student's district of residence to either develop a behavioral assessment plan or, if the child has one, to review such plan are required when: (1) the child is first removed from his or her current placement for more than ten school days in a school year; and (2) when commencing a removal which constitutes a change in placement. The student's special education professor (or coordinator) and the general classroom professor will attend all meetings regarding the student initiated by the CSE from the student's home district.

Subsequently, if other removals occur which do not constitute a change in placement, the School will work with the CSE of the student's district of residence to review the child's assessment plan and its implementation to determine if modifications are necessary. If one or more members of the CSE of the student's district of residence believe that modifications are needed, then the CSE is expected to meet to modify the plan and/or its implementation.

### **Due Process**

If discipline which would constitute a change in placement is contemplated for any student, the following steps shall be taken: (1) not later than the date on which the decision to take such action is made, the parents of the student with a disability shall be notified of that decision and provided the procedural safeguards notice described in 34 CFR §300.504; and (2) immediately, if possible, but in no case later than ten school days after the date on which such decision is made, the

CSE of the student's district of residence and other qualified personnel shall meet and review the relationship between the child's disability and the behavior subject to the disciplinary action.

If, upon review, it is determined that the child's behavior was not a manifestation of his or her disability, then the child may be disciplined in the same manner as a child without a disability, except as provided in 34 CFR §300.121(d), which relates to the provision of services to students with disabilities during periods of removal.

Parents may request a hearing to challenge the manifestation determination. Except as provided below, the child will remain in his or her current educational placement pending the determination of the hearing.

If a parent requests a hearing or an appeal to challenge the interim alternative educational setting or the manifestation determination resulting from a disciplinary action relating to weapons or drugs, the child shall remain in any interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in the disciplinary action, whichever occurs first, unless the parent and the School agree otherwise.

## **APPENDIX B– Policy Regarding Sports & After-School Program Participation**

### **Sports Program**

CHSLSJ offers a variety of competitive and intramural sports, including basketball, baseball, volleyball, cross country, soccer and softball. The program is open to all students in good academic and behavioral standing.

### **Good Standing**

In order to be in good standing, students must pass **both** the academic and work ethic component of their classes. Typically, students scoring 80 percent or better are seen as in good standing. Students who fall below the minimum requirements may be put on probation or withdrawn from the team. Additionally, if a student is missing assignments or failing a class within a quarter, s/he may be temporarily withdrawn from the team until work has been submitted or the grade has improved. Attendance at school is also a requirement of participating in the sports program and this includes lateness to school and class. Participants must get a weekly behavior/academic form signed by each of their professors, failure to do this will cause them to be removed from the team.

### **Behavioral Policy**

It is expected that our students behave in an exemplary manner at all times. The school's Discipline Code applies to participation in the sports program. Behavior that would constitute withdrawal from a sports team includes, but is not limited to:

- Persistent classroom disruptions
- Excessive detentions
- Suspension
- Recommendation from the Dean's Office

## **APPENDIX C– Use of Lockers**

CHSLSJ students will be using lockers located in our hallways on the first and second floors. It is important to remember that there are responsibilities that accompany the privilege of having access to lockers. Improper use of lockers will result in a loss of locker privileges. Please note that students are provided access to school lockers at the school's discretion and students do not have a reasonable right of privacy regarding them.

### **Rules & Guidelines**

1. Lockers are assigned to students by the school.
2. Student lockers are provided for school-related materials (books, sweaters, hoodies or jackets).
3. Students with cell phones at school must store their cell phones in their lockers for the entire school day. All cell phones must be turned off.
4. The school does NOT assume responsibility for personal possessions placed in the lockers. The lockers may be searched at any time.
5. The school will provide locks to students. Students should practice their combinations at the time of distribution with their teacher. Combinations should never be shared with other students.
6. Students are accountable for all items placed in their lockers. At no time should students share combinations with their classmates. It is important to remember that locks and lockers are an individual student responsibility.
7. Students should NOT store food, drinks, or trash in lockers.
8. Both the inside and outside of the lockers are to be kept clear of writing, stickers and decorations.
9. Students having problems with their lockers must contact their teachers and/or the office before or after school.
10. Students are permitted to access lockers in the morning between 7:25 am and 7:45 am for the middle school and 8:00 am to 8:20am for the high school and again at the end of the day. Students who are late will NOT be permitted to use lockers.
11. Lockers are subject to inspection by the school at its discretion.

**Violation of any of these principles may result in the suspension of locker privileges.**

## **APPENDIX D - Student Internet Usage Policy**

### **Web Use**

From time to time, students may be asked to use the internet for school assignments and will be provided access to laptop or desktop computers at school. During class, students are only permitted to be on specific websites authorized by the school for academic use. Students may not be on any web sites not specifically permitted by their instructor, including but not limited to, YouTube, Facebook, Google Images, Instagram, Snapchat or any social networking site. Students are expressly prohibited from using the school's computers to access inappropriate or adult content, gambling or gaming websites, or any website that promotes hate, violence, or gang activity. The school reserves the right to determine if a website is inappropriate.

### **Computer Use**

School laptop and desktop computers are expensive learning tools and are property of the school. They are complex and fragile machines and need to be handled delicately. The school will not tolerate any intentional mistreatment of computers, including rough handling, touching another student's computer, or slamming of keyboards or laptop covers. Any student causing damage to a laptop will be billed for the damage caused and will receive disciplinary consequences.

### **CHSLSJ Email**

Students will receive school email addresses that they will use for school-based projects. Students should have no expectation of privacy in these accounts. The school reserves the right to inspect all CHSLSJ email addresses at any time.

### **Cyberbullying**

It is the number one priority of CHSLSJ to ensure a safe environment for all students. Cyberbullying will not be tolerated. Students should understand that posts on Facebook, Twitter, Instagram and other social media are not private and, if they violate the school's disciplinary code, can lead to disciplinary action.

## **Appendix E – Complaint Policy**

### **Complaint Policy**

Staff members who have a question or complaint or are bothered by a job-related situation, should speak with their immediate supervisor. This is the best way to seek resolution of problems and is a matter of professional courtesy. Should the concern not be satisfactorily addressed or be one that the staff member would rather not discuss with the immediate supervisor, the staff member should contact the Principal.

Any employee wishing to formally complain about a procedure, action or directive of another employee should notify the Principal in writing as soon as possible after such procedure, action or directive has occurred. The Principal or his or her designee shall be the investigator and arbitrator of such grievances except where the Principal is a subject of the grievance, where the grievance should be directed to the Executive Director, Mr. Richard Burke who can be reached at [rburke@CHSLSJ.org](mailto:rburke@CHSLSJ.org).

Parents or others who have an informal complaint may also bring it to the Executive Director, orally or in writing. Those wishing to make a formal complaint should follow the process for employees laid out in the previous paragraph.

For any grievances alleging a violation of law or of the school's charter, an employee may appeal the decision of the Executive Director, his or her designee or the Board Chair to the school's authorizer, the New York City Department of Education. If the complainant is not satisfied with the determination of the authorizer, the matter can be appealed to the New York State Board of Regents, whose ruling shall be final.

**Receipt of Student/Family Handbook and Employment-At-Will Statement  
(2018-2019)**

This is to acknowledge that I have received a copy of the The Charter High School for Law and Social Justice student/Family Handbook, and I understand that it contains information about the policies and practices of the School. I understand that the purpose of the Handbook is to acquaint students and families with the School’s policies and procedures, and to function as a reference tool for students and families. I understand that the Handbook sets forth the policies and procedures currently in effect and that these policies and procedures may be changed, modified, or eliminated by the School at any time.

I also understand that it is my responsibility to read, understand, and follow all current School policies and procedures. I can ask any employee at the school for guidance if I have any questions about the policies and procedures set forth in this Handbook or their application.

By signing below, I indicate receipt of The Charter High School for Law and Social Justice Student/Family Handbook:

Parent’s Full Name \_\_\_\_\_

Child’s Full Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Last Updated: August 15, 2019

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## THE CHARTER HIGH SCHOOL FOR LAW AND SOCIAL JUSTICE

### STUDENT CODE OF CONDUCT

#### INTRODUCTION

The Board of Trustees (the “Board”) of The Charter High School for Law and Social Justice (the “School”) is committed to providing a safe and orderly environment in which students can receive, and School personnel can deliver, quality educational services without disruption or interference. Responsible behavior by students, teachers, other School personnel, and parents is essential to achieving this goal. The School expects appropriate conduct on School property and at School functions. These expectations are based on civility, mutual respect, citizenship, character, tolerance, honesty and integrity. The Board recognizes the need to clearly define expectations for acceptable conduct on and off of School property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this Student Code of Conduct (the “Code”).

#### SECTION ONE: DEFINITIONS

For purposes of this Code, the following definitions apply:

\*Bullying and Harassment: Bullying is the use of aggression with the intent to harm another individual. Bullying can take many forms. While it is not possible to list all those acts that may constitute bullying, bullying includes, but is not limited to, the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off School property and creates or would foreseeably create a risk of substantial disruption within the School environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (which includes a person’s actual or perceived gender, as well as gender identity and expression). For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.

\*Cyberbullying: bullying or harassment, as defined above when such bullying or harassment occurs through any form of electronic communication.

\*Disruptive student: a student who is substantially disruptive of the educational process or substantially interferes with the administration’s or a teacher’s authority over the School or classroom.

\*Parent: the parent, guardian or person lawfully having the care, custody or control of a student.

\*School function: any School-sponsored extra-curricular event or activity, regardless of where the event takes place.

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\*School property: in or within any building, structure, playground, athletic field, parking lot or land contained within the real property boundary line owned, leased, or occupied by the School, or in or on a School bus.



\*Staff: an employee of the School.

\*Student with a disability: a student with a disability as defined in Section 4401(1) of the Education Law, who has not attained the age of 21 prior to September 1 and who is entitled to attend public schools pursuant to Section 3202 of the Education Law and who, because of mental, physical or emotional reasons, can only receive appropriate educational opportunities from a program of special education.

\*Violent student: a student who:

1. Commits an act of violence upon a School employee, or attempts to do so;
2. Commits, while on School property or at a School function, an act of violence upon another student or any other person lawfully on School property or at a School function, or attempts to do so;
3. Possesses, while on School property or at a School function, a weapon;
4. Displays, while on School property or at a School function, a weapon or what appears to be a weapon;
5. Threatens, while on School property or at a School function, to use any instrument that appears capable of causing physical injury or death;
6. Knowingly and intentionally damages or destroys the personal property of any School employee or student or any person lawfully on School property or at a School function; or
7. Knowingly and intentionally damages or destroys property of the School.

\*Visitor: anyone on school property who is not a regular staff member or student of the School.

\*Weapon: a firearm as defined in 18 U.S.C. Section 921 for purposes of the Gun-Free Schools Act. It also includes, but is not limited to, any other gun, BB gun, pellet gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, knife, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or any other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

## SECTION TWO: STUDENT RIGHTS AND RESPONSIBILITIES

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With every student right comes a student responsibility, as described in the following chart:

### RIGHTS RESPONSIBILITIES

Attend school and be granted the opportunity to receive a quality education.

Attend school regularly and on time, complete assignments, and strive to do the best work possible.

Be made aware of School rules and policies, and always be treated in a manner consistent with these policies in all disciplinary matters.

Be familiar with the Code, obey the rules it contains, and conduct yourself in a manner not distracting to others.

Have the opportunity to present your version

of the facts and circumstances in all disciplinary matters.

Be truthful and respectful when responding to authority.

Take part in all School activities on an equal basis regardless of race, sex, religion, national origin, disabilities, and all the characteristics protected by the School's anti-discrimination policy.

Work to your best ability in all academic and extracurricular activities, while being fair to and supportive of others.

Be safe in the School environment. Behave in a manner that will not jeopardize the safety and well-being of yourself or others and actively discourage, in the interest of safety, inappropriate behavior of other students.

Not to be intimidated or harassed by others. Respect one another and treat others fairly and in accordance with this Code. Report any harassment to School officials as soon as possible.

Dress according to the School's dress code. Dress in a manner not distracting to others, and in accordance with School policy.

Be allowed the opportunity for the free expression of ideas subject to limitation in regards to libelous, slanderous, vulgar, or obscene words or images or speech that materially and substantially disrupts the work and discipline of the School.

Use language that is appropriate in demonstrating respect for yourself and others when expressing ideas and interacting with other students, School personnel, and any other visitors to the School.

Wear political buttons, armbands, or badges of symbolic expression as long as they conform

Display buttons, armbands, or badges of symbolic expression respectfully and in

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to the limits of the dress code. accordance with the dress code.

Be protected against illegal or unreasonable personal searches and seizures of property.

Fully cooperate with School officials and authorities if an authorized School official has reasonable suspicion that warrants a search of you or your belongings.

Submit a written grievance or complaint about a School-related matter or School employee or official to the principal.

Obey School rules and regulations, respect School officials, and accept responsibility for your own actions in regards to complaints.

#### I. Dignity For All Students Act Policy:

The School and its Board are committed to providing a safe and productive learning environment within the School. In accordance with New York State's Dignity for All Students Act ("DASA"), the School is committed to promptly addressing incidents of harassment and/or discrimination of students that impede students' ability to learn. This includes bullying, taunting, or intimidation in all their myriad forms.

#### Students' Rights

No student shall be subjected to harassment by staff or students on School property or at a School function. Nor shall any student be subjected to discrimination based on the student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by School employees or students on School property or at School functions.

In addition, the School reserves the right to discipline students, consistent with the Discipline Policy, who engage in harassment of students off School property under circumstances where such off-campus conduct: 1) affects the educative process; 2) actually endangers the health and safety of the School's students within the educational system; or 3) is reasonably believed to pose a danger to the health and safety of the School's students. This includes written and/or verbal harassment which materially and substantially disrupts the work and discipline of the School and/or which School officials reasonably foresee as being likely to materially and substantially disrupt the work and discipline of the School.

#### Dignity Act Coordinator

The School designates Jose Ferrer, Assistant Principal for Culture, as the Dignity Act Coordinator (the "DAC"). Mr. Ferrer can be reached by dialing the School's main line (347-696-0042) or by email at [jferrer@chslsj.org](mailto:jferrer@chslsj.org). The DAC is trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex. The DAC will be accessible to students and other employees for consultation and advice.

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#### Reporting and Investigating

Personnel at all levels are responsible for reporting harassment of which they have been made aware to their immediate supervisor. Any student who believes that he or she is being subjected to harassment, as well as any other person who has knowledge of or witnesses any possible occurrence of harassment, shall report the harassment to any staff member or to the DAC. A staff member who witnesses harassment or who receives a report of harassment shall inform the DAC. The DAC, or their designee, shall promptly investigate the complaint and take appropriate action to include, as necessary referral to the next level of supervisory authority and/or other official designated by the School to investigate allegations of harassment. Follow-up inquiries and/or appropriate monitoring of the alleged harasser and victim shall be made to ensure that harassment has not resumed and that those involved in the investigation of the allegations of harassment have not suffered retaliation.

Material incidents of discrimination and harassment on School grounds or at a School function will be reported to the State Education Department as required by law.

#### No Retaliation

The School and its Board prohibit any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of harassment. All complainants and those who participate in the investigation of a complaint in conformity with state law and School policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

#### SECTION THREE: ESSENTIAL PARTNERS

The School will not be successful unless all stakeholders are actively engaged in promoting a positive school environment that promotes a culture of learning and respect. This section describes the expectations the School has of parents, teachers, student support personnel, staff, the principal, and the Board.

#### Expectations of Parents:

1. Make certain your child's attendance at School is regular and punctual and all absences are properly excused, as required by law.
2. Ensure that your child is dressed in compliance with the dress code and School rules regarding sanitation and safety and in a fashion that will not disrupt classroom procedures or the educational environment.
3. Be as certain as possible that your child is free of communicable diseases and is in good health, enabling him or her to participate in the learning environment.
4. Teach your child, by word and example, respect for the law, the authority of the School, and the rights and property of others.
5. Know and understand the rules your child is expected to observe at School. Be aware of the consequences of violations of these rules and accept responsibility for your  
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child's actions.
6. Help your child understand that appropriate rules are required to maintain a safe, orderly environment and provide effective and appropriate strategies for dealing with peer pressure in accordance with the Code.
7. Instill in your child a desire to learn. Encourage respect for hard work and an interest in exploring broader fields of knowledge.
8. Become acquainted with the School, its staff, curriculum, and activities. Attend parent-teacher conferences and School functions.
9. Convey to your child a supportive attitude toward education and the School.
10. Recognize that the education of your child is a responsibility of you and the School.
11. Send your child to School ready to participate and learn.
12. Promote positive behavior in your child by helping your child accept the consequences of his or her actions and by becoming involved in the behavior management/disciplinary process. Guide your child to develop socially acceptable standards of behavior.
13. Inform School officials of changes in the home situation that may affect student conduct or performance.
14. Support your child educationally by providing a place for study and ensuring that homework assignments are completed.
15. Report any School-related safety concerns to the principal, director of operations, or

other School administrator for resolution.

Expectations of Teachers:

1. Reflect a personal enthusiasm for teaching and learning and a genuine concern for each individual student.
2. Guide learning activities so students learn to think and reason. Assume responsibility for their actions and that they respect the rights of others.
3. Be fair, firm, and consistent in enforcing School rules on School property and at all School functions.
4. Give positive reinforcement for acceptable behavior.
5. Inform the principal or the assistant principal for School culture about any student whose behavior requires special attention.
6. Maintain a climate of mutual respect and dignity to strengthen each student's selfconcept and confidence to learn.
7. Communicate to students and parents information that is important to the student's emotional, social, behavioral, and academic progress, including but not limited to marking and grading procedures, assignment deadlines, expectations of students, the classroom discipline plan, the school-wide discipline plan, and student progress.
8. Be knowledgeable about effective classroom/building behavior management techniques and non-violent crisis intervention philosophy and techniques.
9. Maintain confidentiality about all personal information and educational records concerning students and their families.
10. Demonstrate dependability, integrity, self-discipline, and respect for law by word  
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and personal example.
11. Promptly report any School-related safety concerns to the principal, director of operations, or other responsible School administrator for resolution.

Expectations of Student Support Service Personnel:

1. Demonstrate interest in and concern for student achievement in the educational process.
2. Know School policies and rules, including this Code, and enforce them in a fair and consistent manner.
3. Maintain confidentiality about all personal information and educational records concerning students and their families.
4. Demonstrate dependability, integrity, and other standards of ethical conduct.
5. Provide educationally related service(s) to support students in their educational program.
6. Support educational and academic goals.
7. Assist students in coping with peer pressure and emerging personal, social, emotional, and physical problems.
8. Encourage students to benefit from the curriculum and co-curricular activities.
9. Communicate regularly with students, parents, and other staff.
10. Be knowledgeable about effective classroom behavior/building management techniques and non-violent crisis intervention philosophy and techniques.
11. Promptly report any School-related safety concerns to the principal, director of operations, or other School administrator for resolution.

Expectations of Other School Staff:

1. Know, abide by, and enforce School rules in a fair and consistent manner.
2. Set a good example for students and other staff by demonstrating dependability, integrity, respect, and other standards of ethical conduct.
3. Assist in promoting a safe, orderly, and stimulating School environment.
4. Maintain confidentiality about all personal information and educational records concerning staff, students, and their families.
5. Promptly report any School-related safety concerns to the principal, director of operations, or other responsible School administrator.

Expectations of the Principal and School Leadership:

1. Organize School schedules and teaching assignments that promote effective classroom management and instruction.
2. Be fair, firm, and consistent in all decisions affecting students, parents, and staff.
3. Promote a successful teaching and learning environment by fostering a safe, orderly, and academically stimulating School environment.
4. Ensure that students and staff have the opportunity to communicate regularly with the principal and administration regarding any School-related matters.
5. Support the development of and student participation in appropriate extracurricular

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6. Be responsible for students, parents, and staff knowing and understanding the Code.
7. Be knowledgeable about effective classroom behavior/building management techniques, non-violent crisis intervention philosophy and techniques, and the Code.
8. Ensure that a School-wide behavior management system is created, supported, and enforced.
9. Maintain confidentiality about all personal information and educational records concerning students and their families.
10. Demonstrate by word and personal example dependability, integrity, self-discipline, and respect for law.
11. Adhere to the School's policies, regulations and procedures.
12. Inform the Board about educational trends relating to student discipline.
13. Work to create instructional programs that are academically sound and promote an environment that is sensitive to student and teacher needs and is designed to minimize problems of student misconduct.
14. Establish, implement and maintain programs for students with special needs.

Expectations of the Members of the Board of Trustees:

1. Adopt a Student Code of Conduct that clearly defines expectations for conduct of students on School property and at School functions.
2. Review the Code at least annually to evaluate its effectiveness, fairness, and implementation and approve or modify the Code accordingly.
3. Lead by example by conducting Board meetings in a professional, respectful, and courteous manner.
4. Become acquainted with the School, staff, and students by visiting the School and by attending School functions.

#### SECTION FOUR: CIVILITY

All members of the School community are expected to behave with dignity and treat others with respect and courtesy. Students should respect their peers, teachers, and School staff.

Individual behavior should not interfere with the rights of others. Students are expected to use language that is appropriate in demonstrating respect for self and others. Profanity and vulgar language, including but not limited to inappropriate/offense comments and obscene gestures toward others, will not be tolerated.

#### SECTION FIVE: STUDENT BEHAVIORAL EXPECTATIONS

The primary goal of the School is to maximize the educational, emotional, personal and social development of each student. This Code is designed to assist each student in realizing a rewarding experience at the School, to promote proper student behavior and promote academic excellence. The Board recognizes the need for specific and clear expectations for student conduct while on School property or engaged in a School function. The behavioral expectations listed below are intended to provide clear expectations about behavior. Students who violate these {00042461.1}

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behavioral expectations will be subject to appropriate discipline.

The following is a non-exclusive list of behavioral expectations of students at the School.

**Attendance:** Students must attend School and class on a regular basis and participate in School and classroom programs, activities, and discussions in order to benefit from their education. When a student's lack of attendance becomes concerning to School staff, the School will address the lack of attendance by using the School's resources and involving the student and his or her parents or guardians. The School resources include both teaching and administrative staff as well as guidance staff. If the School exhausts its efforts and the student's attendance has not improved, the School might use other resources available, including family court, to attempt to correct the problem.

**Cafeteria:** All students must eat breakfast and lunch in the cafeteria or other designated area whether they bring food from home or buy it. Students must deposit their garbage in the proper receptacles. Students are expected to conduct themselves in an orderly manner in the cafeteria. Students must stay seated, speak with an appropriate volume, and avoid disruptive behavior.

**Computer/Internet Policy:** The School encourages students to use computers and technology available in School facilities; however, with this use comes responsibility. Violations of the following guidelines may result in a loss of access as well as other disciplinary or legal action in accordance with applicable laws. Users are expected to:

\*Respect the privacy of others:

\*Users will not try to gain unauthorized access to networked or stand-alone systems.

\*Users will not modify or read the files of other individuals. However, system and school administrators have access to all files. You should not assume privacy from School and system administrators.

\*Respect the legal protection provided by copyright and licenses to programs and data.

\*Users will not make copies of programs in violation of copyright laws.

\*Users will not install their own software on School computers without authorization.

\*Users will not intentionally develop or use programs to harass others or infiltrate a computing system or damage or alter the software components or network.

\*Users will not intentionally send inappropriate, obscene, or hateful messages/emails to others.

\*Users will not be allowed access to various Internet sites including but not limited to pornographic websites, personal websites not related to school, or any online gambling site

of any type.

\*Abide by the Acceptable Use Agreement distributed to all School students and their parents.

Corridor Passes: While classes are in session, no student is permitted in the halls or  
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lavatories without permission. Students found in the halls without a hall pass may be subject to discipline. Appropriate hallway behavior is expected; students are prohibited from running, shoving or any other inappropriate behavior.

Dangerous Behavior/Weapons: Student behavior that threatens or might endanger the health, safety, or welfare of the student, other students, teachers, or staff, is prohibited. This behavior includes but is not limited to setting false fire alarms; making bomb threats; starting fires; possessing fireworks, weapon(s), pepper spray, or any similar items or explosives; throwing objects; fighting; vandalism; extortion; and any other activity that would endanger anyone on School property or at a School function.

Cell Phones and Electronic Devices: Students may possess electronic devices during school hours but may not use them or have them out during School hours except for educational purposes, as instructed by a teacher, or in emergency circumstances.

Fighting and Harassment: Fighting or harassment of a physical, sexual, and/or verbal nature are prohibited. A student engaging in any of these behaviors will be subject to disciplinary action.

Forgery: Forgery of any kind is prohibited.

Gambling/Selling or Trading Items: Participating in or conducting any activity that may be construed as gambling is prohibited. Exchanging personal property or selling property is prohibited and exchanged or sold items may be confiscated and returned to the original owner.

Medications: Students may not take and/or carry medications – prescription or over-the-counter – while in school unless the proper forms signed by both the parent/guardian and doctor are submitted to the nurse’s office. All medications must be in their original packaging.

The School’s complete medication policy is posted on the School’s website.

Insubordination: Insubordination, vulgarity, flagrant disregard of School rules, and disrespect for School personnel are prohibited. Such behavior includes but is not limited to failing to complete assignments, follow directions from adults, and be prepared for class.

Loitering and Trespassing: Loitering in or trespassing onto the School building or School grounds is prohibited.

Leaving School Building/Grounds: Students are not permitted to leave the school building or grounds at any time during the school day without a duly authorized pass from the principal or the principal’s designee. Students who become ill must be sent home through the nurse’s office.

Plagiarism and Cheating: Plagiarism and cheating on any assignment and/or test or examination are prohibited. In addition to any other disciplinary measures, a student guilty of  
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plagiarism or cheating may also receive a grade of zero for the test or assignment.

Substance Use and Abuse: Federal law and Board policy prohibit any type of substance abuse, including the use of tobacco, in any form, on School property or at School functions. The use of alcoholic beverages of any kind, tobacco in any form, or any form of illegal substance, is prohibited at all times on School property and at School functions. This includes all School functions both on and off School property. Students are prohibited from possessing, consuming,



selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco, or illegal substances or being under the influence of any of these substances. Illegal substances include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and drug paraphernalia. Students with substance abuse or other social problems are encouraged to discuss them with appropriate School personnel.

**Tardiness:** Being late to School is prohibited. Appropriate notification from a parent/guardian must be provided to the School if a student is late to School.

**Theft and Possession of Stolen Property:** Theft and possession of stolen property are prohibited on School grounds and at School functions on or off School property.

**Vandalism:** Vandalism of School property is prohibited. Vandalism ranges from littering to destruction of School property. Students will be responsible for damages or loss of any School property or equipment that they damage. In accordance with law, students and/or parents may be responsible for the cost of damages from vandalism.

**Visitors:** Student visitors are permitted only with prior School permission. No visits will be allowed during the week prior to final exams, the week of final exams, or the day before a School holiday or School vacation.

**Vulgarity and Profanity:** The use of vulgarity and profanity in the School building, on School grounds, or at any School sponsored function, is prohibited. This includes selling, using or possessing obscene materials. This policy applies to locker decorations and clothing.

#### SECTION SIX: DISCIPLINARY INFRACTIONS AND CONSEQUENCES

Disciplinary infractions are labeled and handled on a scale of Level 1, 2, 3, 4, and 5 as follows. This is not an exhaustive list of infractions or penalties. Other infractions and penalties can be found elsewhere in this Code, the School's Family and Student Handbook, and the School's policies posted on its website. In addition, the School retains discretion to adjust penalties based on factors such as the severity of the infraction, the student's prior record, the principal's judgment about the effectiveness of other penalties, parental input, and other extenuating circumstances.

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Level 1 Infractions- Uncooperative/Noncompliant Behavior

L1 Minor Uniform

Violation

A uniform violation that can be fixed in the moment/on the spot--.

For example, an untucked shirt, excessive jewelry, disheveled tie, sagging pants, etc.

L1 Off Task

During

Instruction

Not paying attention during instruction; daydreaming; looking out the window; doodling

L1 Not Tracking

speaker

Not paying attention or looking at the speaker when asked to do so

L1 Not Starting

Work on Time

Not promptly commencing work when asked to do so.

L1 Too Much

Time in

Bathroom

Spending excessive time in bathrooms (seven or more minutes) without medical reason

L1 Working on

Other Work

Not doing work directly related to the class at hand

L1 Unprofessional

Communication

Communicating in a way that would not be acceptable in a workplace (e.g. slang or street talk)

L1 Head on Desk Having head on desk

L1 Misuse of

Resources

Playing with classroom supplies instead of using them for their intended purpose (e.g. stapling a piece of paper five times)

L1 Loitering Loitering in the hallway during transition/not moving with urgency

L1 Poor Transition Transitioning between classrooms or activities in a way that is not orderly or in keeping with established expectations

L1 Excessive

Volume

For example yelling, hooting, shouting, or hollering

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Level 1 Infractions- Uncooperative/Noncompliant Behavior

L1 Out of Seat

Without

Permission

Getting out of seat without permission

L1 Not Cleaning

Up

Not leaving a space as clean as it was found

L1 Other

Disorderly

Other disorderly behavior

L1 Calling Out Calling out in class

L1 Side

Conversation

Talking to a peer in class when not allowed

L1 NF Class or

School

Procedure

Not following a class or school procedure

L1 Disruptive

Negative

Attitude

Being negative about the School, a class, another student, or a teacher in a way that is disruptive

L1 Disruptive

Laughing

Laughing in a way that attracts attention in a disruptive way, deliberately or not

Level 2-Disorderly Behavior (Automatic Detention)

L2 Refusing to

Participate

Refusing to complete work or answer questions in class

L2 Sleeping Sleeping

L2 Late to School,

Class, or other

Activity

Being late to any scheduled class or activity (including lunch) during the day

L2 No Pass Not being able to produce a hall pass during class time {00042461.1}

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Level 2-Disorderly Behavior (Automatic Detention)

L2 Inappropriate

Contact

Putting hands on another student in any form

L2 Gum/Candy/Food/

Drink

Having unauthorized gum, candy, food, or drink in class

L2 Phone/Electronics Having a phone or any form of electronics in sight without permission

L2 Major Uniform

Violation

Any uniform violation that cannot be fixed in the moment

L2 Inappropriate

Reaction

Responding in any way to a correction other than acceptance or self-frustration, for example, sucking teeth, rolling eyes, or slamming an object on the ground

L2 Disrespect Any insult directed to classmate, teacher, or staff member; teasing/making-fun/yelling

L2 Disrespect to

Property

Doodling on desk or not treating school property as one's own

L2 Gossiping Spreading malicious rumors about another student

L2 Ignoring/Refusing Refusing to comply with teacher directions

L2 Use of Teacher

Work Room

Using the teacher work room without permission

L2 Passing Notes in

Class

Passing notes in class

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L2 Late to School Being late to school

L2 Leaving Early Leaving school early for a reason not medically necessary or preapproved

L2 Repeated Level 1 infractions (3+ in a day)

Three or more Level 1 infractions in a day  
{00042461.1}

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Level 2-Disorderly Behavior (Automatic Detention)

L2 Disrespect to Peer Undermining the dignity or emotional safety of another student

L2 Disrespect to Adult Undermining the dignity, authority, or emotional safety of an adult

L2 Hands-on Play-fighting, rough-housing, or other similar behavior

L2 Threatening (regardless of intent to harm)

Threatening a student or staff member or volunteer (e.g., . "If you \_\_ then I'll \_\_ you!"; "I'll kill you!")

L2 Verbal Altercation Verbal arguments between scholars

L2 Plagiarism/

Cheating

Claiming work that is not 100% one's own

L2 Insubordination Repeatedly refusing to follow directions (a more severe form of ignoring/refusing)

L2 Lying/Dishonesty Being dishonest or not telling the whole truth

L2 Destruction of

Property

Damaging school property in a way that requires replacement or repair

L2 Theft/Stealing Taking what is not one's own

L2 Hate Speech Using language that undermines the dignity of a race, sexual orientation, religion, or other characteristic protected by law

L2 Throwing Items Throwing anything during class

L2 Deliberate

Derailment of

Lesson

Intentionally attempting to disrupt or derail a lesson

L2 Swearing Using any form of profanity (including "damn" and "hell")  
{00042461.1}

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Level 3 Infractions-Disruptive Behavior (Automatic Detention and/or ISC)

L3 Bullying/

Harassment

Repeatedly teasing another or being mean-spirited in a way that assails the dignity of another individual

L3 Deliberate

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Derailment of  
Lesson

Repeated disrupting or derailing a lesson

L3 Egregious

Disrespect

- Yelling at a staff member
- Profanity in response to behavioral consequence
- Other highly disruptive reactions
- Purposefully damaging property, graffiti, or similar destructive behavior
- Hate words

L3 Other

Egregious

Behavior

Reserved for Principal's and AP's use.

(This includes integrity violations such as plagiarism or cheating)

L3 Graffiti Tagging or defacing school property

L3 Skipping Cutting class

{00042461.1}

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Level 4 Infractions- Aggressive or Injurious/ Harmful Behavior (OSS)

- ❖ Persistent bullying/threatening/harassment
- ❖ Physical aggression—pushing, fighting, or similar behavior
- ❖ Major dishonesty: stealing or other similar behavior
- ❖ Possessing, distributing, or using any toy weapons, including but not limited to a water gun, pellet gun, or similar device
- ❖ Highly disruptive or disrespectful behavior in ISC; repeated non-compliance while in ISC
- ❖ Minor Sexual Misconduct—Inappropriate comment, harassment, mimicking sexual behavior, kissing, or any other similar behavior
- ❖ Leaving school building/campus without permission
- ❖ Any repeated or chronic disregard for the rules
- ❖ Destruction of school or other's property; any "tagging" or suggestive graffiti
- ❖ Any time a student requires physical restraint, including but not limited to a safety hold or other similar restraint
- ❖ Other egregious behavior as defined by the School on or off school property or on the internet
- ❖ Assault or attempted assault
- ❖ Gambling
- ❖ Extortion
- ❖ Using forged notes, excuses, passes, or any other forged document

Level 5 Infractions-Seriously Dangerous or Violent Behavior (OSS or Expulsion)

- ❖ Carrying or attempting to carry any weapons on school property
- ❖ Possessing, using, or distributing drugs, alcohol, or any illegal substance
- ❖ Possessing or distributing any illicit materials including obscene materials or pornography
- ❖ Sexual Misconduct: Overt sexual harassment, sexual threatening or bullying, any sexual act

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- ❖ Chronic bullying
- ❖ Physical assault (including sexual assault)
- ❖ Violation of any law; conviction of any crime
- ❖ Other dangerous or violent behavior as defined by the School

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#### Detention

Detention provides a time and place for scholars to reflect on their behavior and to make  
Consequence How a Student Earns It Summary/Purpose

#### Detention

- ✓ Three Level 1 infractions

in a day

- ✓ One Level 2 infraction in

a day

Detention is a sixty minute silent reflection time to reflect on mistakes and make sure they do not happen again. Detention is always served the next day. Parents are notified by telephone the night of the infraction. Detention can NOT be excused except for medical and legal reasons.

#### Friday

#### Detention

- ✓ Earned more than one detention in one day

- ✓ Repeated level 1 and 2 infractions

- ✓ Leaderships'

#### Discretion

Friday detention is a three hour silent reflection time to reflect on mistakes and make sure they do not repeat. Friday detention is held on Friday from

1:30PM-4:30PM

#### Independent

#### Study Center

- ✓ Committing a Level 3 infraction or repeated level 1 and 2 infractions

- ✓ Being out of uniform in a way that cannot be fixed

- ✓ Failing to attend detention

- ✓ Failing to attend Friday

#### detention

The Independent Study Center is a silent room in which scholars are instructed to reflect independently on their choices.

They must complete a sheet or packet that guides them through this process, and have a parent or guardian speak with an administrator. Scholars may be kept in ISC for multiple days.

#### Out of School

##### Suspension

✓ Committing a Level 3, 4, or 5 infraction

✓ Poor behavior in the Independent Study Center

✓ Repeatedly failing to attend detention

Out of school suspensions are used when scholars commit an infraction that violates a zero-tolerance policy, when scholars have repeated behavior infractions, or when scholars refuse to take responsibility for their behavior in ISC.

##### Expulsion

✓ Committing a Level 5 infraction (drugs/alcohol, weapons, assaulting an adult, sexual assault, etc.)

Expulsions are for scholars who have so severely violated the integrity and safety of our community that they will not be permitted to return to school.

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plans to improve. Detention provides a disincentive for the poor behavior. Detention is held Monday through Thursday from 4:15-5:15 and 1:30-4:30 on Friday. In detention scholars may not talk, communicate, or make noises; may not put their head down or slouch; must follow all directions from the teacher in charge; and must talk to and respond to the teacher in charge with respectful language, tone, and body language. Scholars in detention will work on the following assignments in this order:

1) Commitment to Excellence (“CTE”): Scholars must complete this to expected/established standards.

2) Reflection: Scholars must complete a top-quality reflection about the behavior that resulted in the detention.

3) Reading/Homework: If scholars have completed the CTE and reflection, they may read a book or complete homework.

#### Independent Study Center (“ISC”)

There are times when it is in the best interest of the broader student body to remove a scholar from class to preserve the integrity of the learning environment and the authority of the teacher. The School provides scholars with a structured, silent room known as the Independent Study Center (“ISC”) in which scholars are given supports to help them understand the long-term

impact of their choices.

#### Placement in ISC

Scholars are placed in ISC at the express direction of the Principal or the Assistant Principal for School Culture (“AP-School Culture”). Scholars can be placed in ISC for any Level 3, 4, or 5 infraction or by accruing repeated Level 1 and Level 2 infractions. Scholars can also be placed in ISC if they are unable or unwilling to be in full uniform for the day. If a scholar is in ISC because of a school uniform infraction, the scholar may leave ISC immediately after fixing the uniform infraction. Scholars are allowed to use the phone to call parents to bring them missing items if they are in ISC for a uniform violation.

#### Expectations while in ISC

During ISC, scholars must sit in their assigned seat; work or read at all times; complete the work assigned in class that day (if a scholar completes all of his or her work, independent reading books will be provided); refrain from sleeping or putting their heads down; refrain from using cell phones or other electronic devices; remain in as close to full uniform as possible (scholars may not shed uniform items while in ISC); and ask to use the restroom and receive a pass at the discretion of the ISC Coordinator prior to using the restroom.

If a scholar misbehaves in ISC, the scholar will face out of school suspension. Repeated misbehavior in ISC constitutes gross insubordination.

#### Completing ISC Service

There is no fixed time limit on how long a scholar may remain in ISC. Scholars may leave ISC when they have successfully repaired their relationship with the individual with whom {00042461.1}

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they misbehaved. A scholar must complete one of the following before leaving ISC:

**A Reflection Sheet:** A scholar who is sent to ISC for a lower-level Level 3 infraction must complete a reflection sheet. If the scholar successfully completes the sheet and the scholar acknowledges his or her infraction, the scholar may return to class.

**A Reflection Packet:** A scholar who is sent to ISC for a more egregious Level 3 infraction or a Level 4 or 5 infraction must complete a packet with structured reflection questions. If the scholar successfully completes the packet the scholar must then have successful conversations about the infraction with the AP-School Culture and the Principal. If the scholar has successful conversations with each individual, the scholar may return to class

#### Out of School Suspension (“OSS”)

An out of school suspension is a temporary loss of the privilege of attending school, class, and school functions. During OSS scholars may not come to school, except for sanctioned tutoring or special education services. OSS is any removal from school from a period of one-half day to ten days.

During OSS, scholars will complete all assigned school work. Prior to completing an OSS, a scholar must complete a reflection/apology and show contrition and take responsibility for the infraction. The parent/guardian and scholar must also verbalize plan to prevent the infraction from occurring again and the parent must have a meeting with the AP-School Culture or the Principal.

#### SECTION SEVEN: REPORTING VIOLATIONS

All students are expected to report violations of the Code promptly to a teacher, guidance counselor, member of the administration, or principal. Any student observing another student



possessing a weapon, alcohol, tobacco, or illegal substance on School property or at a School function shall report this information immediately to a teacher, member of the administration, or principal. All School staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair, and lawful manner. School staff not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code to their supervisor. Any weapon, alcohol, tobacco, or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved. The principal or the principal's designee must notify the appropriate local law enforcement agency of those Code violations that could constitute a crime as soon as practical, but in no event later than the close of business the day the principal or the principal learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code and that could constitute a crime.

## SECTION EIGHT: DISCIPLINARY CONSEQUENCES, PROCEDURES AND REFERRALS

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Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline. Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary actions, School personnel authorized to impose disciplinary penalties will consider the following:

1. the student's age;
2. the nature of the offense and the circumstances that led to the offense;
3. the student's prior disciplinary record, if any;
4. the effectiveness of other forms of discipline;
5. information from parents, teachers and/or others, as appropriate; and
6. other extenuating circumstances.

The School is committed to implementing progressive discipline instead of zero tolerance policies whenever possible. As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. The School also recognizes the philosophy of restorative justice. Restorative justice principles involve those who have a stake in a specific offense in collectively identifying and addressing the harm done and the needs and obligations of all involved in order to heal and correct the situation as fully as possible. Restorative justice strategies may be used at the discretion of the principal in lieu of, or in addition to, certain other interventions set forth in the Code, when all parties voluntarily agree to participate and the appropriate resources are available to support a meaningful effort. Appendix A provides a list of examples of restorative justice practices that the School may implement.

Consequences: Students who are found to have violated the Code may be subject to the following consequences, either alone or in combination. The School personnel identified after each penalty are authorized to impose that consequence, consistent with the student's right to due process as set forth herein:

1. Oral warning: any member of the School staff.
2. Written warning: guidance counselors, teachers, assistant principals, principal.
3. Written notification to parent: guidance counselors, teachers, assistant principals,

principal.

4. Detention: AP-School Culture, principal.
5. Suspension from transportation: AP-School Culture, principal.
6. Suspension from athletic participation: AP-School culture, principal.
7. Suspension from social or extracurricular activities: AP-School culture, principal.
8. Suspension of other privileges: AP-School Culture, principal.
9. Removal from classroom: teachers, AP-School Culture, principal.
10. In-School Study Center: AP-School Culture, principal.
11. Short-term (ten (10) days or less) suspension from School: principal with right to {00042461.1}

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appeal decision of the principal to the Board of Trustees.

12. Long-term (more than ten (10) days) suspension from School: principal shall preside over a hearing or in the principal's discretion, designate a hearing officer to preside over the hearing, who makes recommendation for a consequence to the principal, with right to appeal the decision of the principal to Board of Trustees.

13. Expulsion from School: principal shall preside over a hearing or in the principal's discretion, designate a hearing officer to preside over the hearing who makes recommendation for a consequence to the principal, with right to appeal the decision of the principal to the Board of Trustees.1

14. Balanced and restorative justice strategies: at the principal's discretion provided all participation is voluntary.

Procedures: regardless of the penalty imposed, School personnel must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. Students will have an opportunity to present their version of the facts informally to the School official imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed as described below.

Detention: In the event of a detention parents will be notified that day of the reason and the student will be expected to serve the detention the following school day.

Suspension from Athletic Participation, Extra-Curricular Activities, and Transportation and Denial of Other Privileges: Students are expected to abide by the athletic training rules and other rules applicable to students participating in athletics or extracurricular activities of the School. A student subject to suspension from athletic participation, extra-curricular activities, or transportation, or denial of other privileges, is not entitled to a full hearing pursuant to Education Law Section 3214. However, the School will provide the student and the student's parents with a reasonable opportunity for an informal conference with the principal to discuss the conduct and the penalty within a reasonable time of the imposition of the penalty.

Removal of Disruptive Students: Teachers, the Assistant Principal of Culture and the Principal have the authority to remove a student who causes a substantial disruption of the educational process, substantially interferes with a teacher's authority, demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. In such cases, the teacher shall inform the principal or assistant principal for school culture, who shall inform the student's parents within 24 hours and give them the opportunity for an informal conference. If the student denies the charges, the principal or assistant

1 NOTE: In any instance where the Principal is directly involved in the instance(s) at issue for a suspension or expulsion, the Principal shall appoint a designee to handle any investigation, hearing and determination.

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principal for school culture must provide the student with the basis for the removal and allow the student to present the student's version at an informal hearing within 48 hours of the removal.

In-School Study Center: The principal, at his or her discretion, may authorize In-school Study Center ("ISS") for a student who would otherwise be suspended from school as a result of a Code violation. A student subject to an ISS is not entitled to a hearing pursuant to Education Law Section 3214. However, the School will provide the student and the student's parent with a reasonable opportunity for an informal conference with the principal to discuss the conduct and the penalty involved within a reasonable time of the suspension. While the student is in ISC, the student will receive instruction each day.

Suspension from School: Suspension from School is a severe penalty, which may be imposed only on students who are insubordinate, disorderly, violent, or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students on the principal. Any staff member may recommend to the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal. Staff members must make all recommendations and referrals in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases, the staff member who recommended the suspension will prepare a written report as soon as possible. The principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

\*Short-term (ten (10) days or less) Suspension from School: When the principal proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law Section 3214(3), the principal must immediately notify the student orally of the charges. If the student denies the misconduct, the principal must explain the basis for the proposed suspension. The principal must also notify the student's parents in writing that the student may be suspended from School. The written notice must be provided, at the last known address of the parents, by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension. When possible, notice should also be provided by telephone if the School has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parent of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parent. At the conference, the student and/or parents shall be permitted to present the student's version of the events and ask questions of complaining witnesses under such procedures as the principal may establish.

The notice and opportunity for an informal conference with the principal shall take place before the student is suspended unless the student's presence in School poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

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After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Board of Trustees within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Board of Trustees shall issue a written decision regarding the appeal within ten business days of receiving the appeal. If the parents are not satisfied with the Board's decision, they may file a written appeal to the Commissioner of the New York State Education Department. Only final decisions of the Board may be appealed to the Commissioner. The appeal must be filed within thirty days of the decision to the New York State Education Department, The University of the State of New York, Albany, NY 12234.

\*Long-term (more than ten (10) days) Suspension from School: When the principal determines that a suspension for more than five days may be warranted, the principal shall give reasonable notice to the student and the student's parents of their right to a fair hearing prior to the suspension. The notice shall follow the notice requirements for a short-term suspension. The Principal shall personally preside over the hearing and make a determination of the disciplinary consequence or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer's report shall be advisory only and the principal may accept or reject all or part of it. At the hearing the student may bring his or her parents and shall have the right to be represented by counsel, the right to testify, the right to question and cross-examine witnesses against him or her, and the right to present witnesses and other evidence on his/her behalf. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Board of Trustees within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Board of Trustees shall issue a written decision regarding the appeal within ten business days of receiving the appeal. If the parents are not satisfied with the Board's decision, they may file a written appeal to the Commissioner of the New York State Education Department. Only final decisions of the Board may be appealed to the Commissioner. The appeal must be filed within thirty days of the decision to New York State Education Department, The University of the State of New York, Albany, NY 12234.

\* Expulsion: Expulsion is reserved for extraordinary circumstances such as when a student's conduct poses a life-threatening danger to the safety and well-being of other students, School personnel, or any other person on School property or at a School function. If a student is permanently suspended the student may not be re-admitted to the School. A student subject to permanent suspension/expulsion shall be given the same hearing rights as a student subject to a long-term suspension.

A parent or guardian may appeal the Principal's decision of the imposition of an out-of-school suspension by submitting a written appeal to the Board of Trustees within five (5) days of receipt of the Principal's decision (appeal can be submitted by email to [board@chslawandsocialjustice.org](mailto:board@chslawandsocialjustice.org) or left in hard copy with the Principal or Director of Operations), and the Board shall designate two (2) or more Trustees (the "Designated Trustees") to review the appeal which may include, in the Designated Trustees discretion, an in-person meeting (the "Meeting") whereby the parents/guardians of the affected student and the Principal shall each

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have up to fifteen (15) minutes to present information for the Designated Trustees' consideration.

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The Designated Trustees shall render their decision within five (5) days of the Meeting.

\*Minimum Periods of Suspension: The following is a list of minimum periods of suspension based on the nature of the infraction.

Students Who Bring a Weapon to School: Any student found guilty of bringing a weapon onto School property or to a School function will be subject to suspension from School for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law Section 3214, as described above in the sections regarding short- and long-term suspensions. The principal has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the principal may consider the following:

1. the student's age;
2. the student's grade;
3. the student's prior disciplinary record, if any;
4. the principal's belief that other forms of discipline may be more effective;
5. input from parents, teachers and/or others; and
6. other extenuating circumstances.

In addition to suspension, the principal must refer children under the age of 16 determined to have brought a firearm to school to the county attorney for a juvenile delinquency proceeding, and students 16 years of age or older, or 14 or 15 years old who qualify for juvenile offender status, to appropriate law enforcement officials.

Students Who Commit Violent Acts other than Bringing a Weapon to School: Any student who has committed a violent act, other than bringing a weapon onto School property, shall be subject to suspension from School for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The principal has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the principal may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

Students Who are Repeatedly Substantially Disruptive of the Educational Process or Repeatedly Substantially Interfere with a Teacher's Authority over the Classroom:

Any student who repeatedly is substantially disruptive of the education process or substantially interferes with the teacher's authority over the classroom will be suspended from School for at least five days. For the purposes of this Code, "repeatedly substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by a teacher or {00042461.1}

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teacher(s) pursuant to Education Law Section 3214(3-a) and this Code on four or more occasions during a semester. If the proposed penalty is a suspension of five days or less, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty is a suspension of more than five days, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The principal has the authority to modify a suspension of five or fewer days on a case-by-case basis. In deciding whether to modify the penalty, the principal may consider the same factors considered in modifying a one-year

suspension for possessing a weapon.

#### SECTION NINE: ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by the teacher for disruptive behavior, or a student of compulsory attendance age is suspended from School pursuant to Education Law 3214, the School will take immediate steps to provide alternative means of instruction to the student. This instruction shall be of a substantially equivalent nature to that provided in the student's regularly scheduled class and shall be provided by a School staff member. The School shall act promptly, with due regard for the nature and circumstance of the particular case. Students who are suspended from School shall receive a minimum of two hours of instruction per day by certified teachers.

#### SECTION TEN: DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board recognizes that it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address disruptive or inappropriate behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever School authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities shall be consistent with applicable federal and state law and follow the procedures described below.

Suspension or Removal of Students with Disabilities:

1. For purposes of this section of the Code, the following definitions apply.

a. A "suspension" means a suspension pursuant to Education Law 3214.

b. A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting ("IAES").

c. An IAES is a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting; to continue to receive those services and modifications, including those described in the student's current individualized education program ("IEP"), that will enable the student to meet the goals set out in such IEP; and includes services and modifications to address the behavior that precipitated the IAES placement {00042461.1}

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that are designed to prevent the behavior from recurring, including, as appropriate, a functional behavioral assessment.

2. School personnel may order the suspension or removal of a student with a disability who violates this Code from his or her current educational placement as follows:

a. The principal may order the placement of a student with a disability into an IAES, another setting, or suspension, for a period not to exceed five consecutive school days, if the principal determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time a student who does not have a disability would be subject to suspension for the same behavior.

b. The principal may order the placement of a student with a disability into an IAES, or another setting, or suspension for up to ten consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the principal determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time a

student who does not have a disability would be subject to suspension for the same behavior.

c. The principal may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct and do not constitute a disciplinary change of placement.

d. The principal may order the placement of a student with a disability into an IAES to be determined by the Committee on Special Education (“CSE”) of the student’s school district of residence, for the same amount of time that a student without a disability would be subject to discipline, but not more than forty-five days, and without regard to whether the behavior was a manifestation of the disability, if the student carries or possesses a weapon while at School or a School function, knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at School or a School function, or has inflicted serious bodily injury upon another person while at School or a School function.

1. “Weapon” means the same as “dangerous weapon” under 18 U.S.C. Section 930(g)(w), which includes “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 1/2 inches in length.”

2. “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.

3. “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

3. Subject to specified conditions required by both federal and state law and regulations, an {00042461.1}

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impartial hearing officer may order the placement of a student with a disability in an IAES for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

Change of Placement Rule:

1. A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:

a. For more than ten consecutive school days; or

b. For a period of ten consecutive school days or less if the student is subjected to a series of suspensions or removals that constitutes a pattern because they add to more than ten school days in a school year, the child’s behavior is substantially similar to behavior in prior incidents that resulted in suspension or removal, and because of such factors as the length of each suspension or removal, the total amount of time the student is removed, and the proximity of the suspensions or removals to one another.

2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement. However, the School may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the manifestation team of the student’s school district of residence has determined that the behavior was not a manifestation of the

student's disability, or the student is placed in an IAES for behavior relating to the infliction of serious bodily harm or behavior involving weapons, illegal drugs, or controlled substances.

Manifestation Determination:

1. Within ten school days of any decision to change the placement of a child with a disability because of a violation of the Code, the manifestation team of the child's school district of residence, including a representative of the child's school district knowledgeable about the student and the interpretation of information about child behavior, the child's parent, and the relevant members of the IEP team shall review all relevant information in the student's file to determine whether the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability, or whether the conduct in question was the direct result of the School's failure to implement the child's IEP.
2. If the members of the team described in the previous paragraph determine that the behavior was caused by or had a direct and substantial relationship to the child's disability or the School's failure to implement the child's IEP, the conduct shall be deemed to be a manifestation of the child's disability.
3. If the conduct was a manifestation of the child's disability, the child will be returned to the placement from which he or she was removed, unless the violation involved a weapon, controlled substance, or serious bodily injury to another.

#### SECTION ELEVEN: CORPORAL PUNISHMENT

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Corporal punishment is any act of physical force upon a student for the purpose of disciplining that student. No teacher, administrator, officer, employee, or agent of the School may use corporal punishment as a means of discipline against a student, nor shall corporal punishment be used against a student by a parent or any other visitor or volunteer while on School property. However, in situations in which alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, then the use of reasonable physical force may be used to protect oneself from physical injury; to protect another student, teacher or any other person from physical injury; or to protect the property of the School or others. In instances in which a disruptive student, whose behavior interferes with the orderly exercise and performance of School functions, powers, and duties, refuses to comply with a request to refrain from further disruptive behavior, the principal or an assistant principal may contact law enforcement authorities for assistance. The School will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with the Commissioner's Regulations.

#### SECTION TWELVE: STUDENT SEARCHES AND INTERROGATIONS

Questioning of Students by School Officials: Any School employee authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law, School rules, or the Code. School officials are not required to give "Miranda" type warnings before questioning, nor are they required to contact a student's parent before questioning the student. However, School officials will tell students why they are being questioned. School officials have the right and responsibility to contact appropriate law enforcement agencies, as may be necessary, with regard to statements and information students give to them.

Student Searches by School Officials: In order to maintain discipline and safety on School property and at School functions, students and their property may be subject to searches by authorized School officials. School officials shall protect the constitutional right of students to be free from unreasonable searches and seizures.

The School principal, assistant principal for School culture, nurse, and security officials are



authorized to conduct searches of students and their property on School grounds if the authorized School official has reasonable suspicion to believe that the search will result in evidence that the student violated the law, School rules, or the Code.

Before searching a student's belongings, the authorized School official should question the student about whether the student possesses physical evidence that the student violated the law or Code, and if so, to provide it, or ask the student to consent to the search voluntarily. Searches will be limited to the extent necessary to locate the evidence sought, and considering the age and gender of the student and the nature of the alleged infraction.

Whenever practicable, searches of students and their property will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched. When necessary, the search of a student may take place at a School function off of {00042461.1}

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School property provided the search follows the restrictions and procedures in this Code. Factors to consider in determining whether reasonable suspicion exists to search a student include the age of the student, the student's record and past history, the predominance and seriousness of the problem in the School that relate to the search, the statements of the student and others, personal observations of the student's behavior giving rise to the suspicion; and the urgency to conduct the search without delay.

**Searches of Lockers, Desks, and Other Storage Spaces:** School authorities will make a reasonable search of a student's locker, desk, or other school-related property only when there is reasonable suspicion that a student is in possession of an item which is prohibited on school property or which may be used to disrupt or interfere with the educational process

**Police Involvement in Searches and Interrogations:** The School is committed to cooperating with law enforcement authorities to maintain a safe School environment. Police officials may interview or search students in School or at School functions, or use School facilities in connection with police work, but in doing so must follow laws and rules applicable to law enforcement personnel.

**Child Protective Services Investigations:** Consistent with the School's commitment to keep students safe from harm and the obligation of School officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the School will cooperate with local child protective service workers who wish to conduct interviews of students on School property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

#### **SECTION THIRTEEN: RELATED RULES AND POLICIES**

The School has adopted policies and rules relating to student behavior in other documents as well. These include, but are not limited to the Anti-Bullying and Harassment Policy, Anti-Sexual Harassment Policy, Attendance Policy, Policy Prohibiting Disability Discrimination, Student Health Services Policy, and the Student and Family Handbook. The terms of the Code and these other policies and rules are to be read so they supplement and are consistent with each other.

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#### **SECTION FOURTEEN: DISSEMINATION AND REVIEW**

The Board will work to ensure that the School community is aware of this Code of Conduct by:

1. Providing copies of a summary of the Code to all students at the beginning of each

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School year;

2. Making copies of the Code available to all parents at the beginning of the School year;
3. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption.
4. Providing all new employees with a copy of the Code when they are first hired; and
5. Making copies of the Code available for review by students, parents and other community members.

The Board will review and approve this Code every year and update it as necessary.

Last Updated August 15, 2019

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## APPENDIX A

### Balanced and Restorative Justice Strategies

Following is a list of generally accepted balanced and restorative justice strategies. These may be used at the discretion of the principal in lieu of, or in addition to, other interventions set forth in the Code, when all parties voluntarily agree to participate and the appropriate resources are available to support a meaningful effort.

**Circles:** Circles use traditional circle ritual and structure to involve the victim, victim supporters, the offender, offender supporters, police, and all interested community members. Within the circle, people can speak from the heart in a shared search for understanding of the event, and together identify the steps necessary to assist in healing all affected parties and prevent future offenses.

Circles typically involve a multi-step procedure that includes: (1) application by the offender to participate in the circle process; (2) a healing circle for the victim; (3) a healing circle for the offender; (4) a circle to develop consensus on the elements of a healing plan; and (5) follow-up circles to monitor the progress of the offender. The healing plan may incorporate commitments by the School, community and family members, as well as by the offender.

The goals of circles include promoting healing for all affected parties; providing an opportunity for the offender to make amends; empowering victims, community members, families, and offenders by giving them a voice and a shared responsibility in finding constructive resolutions; addressing the underlying causes of offensive behavior; building a sense of community and its capacity for resolving conflict; promoting and sharing community values; and improving school culture.

Circles are not appropriate for all offenses. The connection of the offender to the community, the sincerity and nature of the offender's efforts to be healed, the input of victims, and the dedication of the offender's support group are key factors in determining whether a case is appropriate for the circle process.

**Youth Courts:** Youth courts are programs in which youth work together with youthful offenders, victims, and the community, which is most often the School setting, to repair harm, build competencies, and help to create safer Schools and/or communities. Youth courts typically are set up in different configurations resembling courts. They usually deal with minor delinquent and other behavior problems. Most programs require youth to admit guilt or accept responsibility prior to participation. When the program or disposition is completed, charges or consequences are typically dismissed. Successful youth courts consist of students who are trained in restorative justice practices, including circles, conferencing, and community panels. Students who participate in youth court peer jury sessions as victims, offenders, or community members should be encouraged to participate as volunteers on subsequent panels.

Restorative Group Conferencing: Restorative group conferencing involves the community of people most affected by the offense – the victim and the offender; and the family, {00042461.1}

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friends and key supporters of both – in deciding the resolution of an incident. These affected parties are brought together by a trained facilitator to discuss how they and others have been harmed by the offense and how that harm might be repaired. To participate, the offender must admit to the offense. Participation by all involved is voluntary. The facilitator contacts the victim and offender to explain the process and invites them to the conference; the facilitator also asks them to identify key members of their support systems, who will be invited to participate as well. The conference typically begins with the offender describing the incident, followed by each participant describing the impact of the incident on his or her life. It is preferable to allow the victim to start the discussion, if the victim wishes. Through these narrations, the offender is faced with the human impact of the behavior on the victim, on those close to the victim, and on the offender's own family and friends. The victim has the opportunity to express feelings and ask questions about the incident. After a thorough discussion of the impact of the behavior on those present, the victim is asked to identify desired outcomes from the conference, and thus helps to shape obligations that will be placed on the offender. All participants may contribute to the problem-solving process of determining how the offender might best repair the harm he or she caused. The session ends with participants signing an agreement outlining their expectations and commitments.

The goals of restorative group conferencing include providing an opportunity for the victim to be directly involved in the discussion of the offense and in decisions regarding appropriate sanctions to be placed on the offender, increasing the offender's awareness of the human impact of his or her behavior and providing the offender an opportunity to take full responsibility for it, engaging the collective responsibility of the offender's support system for making amends, shaping the offender's future behavior, and allowing both offender and victim to reconnect to key community support systems

In implementing any restorative conferencing program, the facilitators, who may be students or School personnel, must be trained in conferencing preparation techniques. It is critically important that the facilitator do everything possible to ensure that neither the victims nor offenders are harmed in any way. Additionally, the victim's participation must be completely voluntary, as should the participation of the offender. Whenever possible, the victim should be given choices concerning decisions such as when and where the conferencing will take place, who will be present and who will speak first. The facilitator should conduct in-person, pre-conferencing sessions with both parties and make follow-up contacts, including the monitoring of any agreement reached.

Victim-Offender Conferencing: Victim-offender conferencing is a process that provides interested victims an opportunity to meet their offender, in a safe and structured setting, and engage in a mediated discussion of the offense. With the assistance of a trained mediator, the victim is able to tell the offender about the offense's physical, emotional, and financial impact; to receive answers to lingering questions about the offense and the offender; and to be directly involved in developing a restitution plan for the offender to pay back his or her financial debt.

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The goals of victim-offender conferencing include supporting the healing process of victims by providing a safe and controlled setting for them to meet and speak with the offender on

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a strictly voluntary basis, allowing the offender to learn about the impact of the offense on the victim and to take direct responsibility for their behavior, and providing an opportunity for the victim and offender to develop a mutually acceptable plan that addresses the harm caused by the offense. This process is not primarily focused upon reaching a settlement, although most sessions do, in fact, result in a signed restitution agreement.

In implementing any victim-offender conferencing program, it is critically important to maintain sensitivity to the needs of the victim. First and foremost, the mediator must do everything possible to ensure that the victim will not be harmed in any way. Additionally, the victim's participation must be completely voluntary, as should the participation of the offender. The victim should also be given choices, whenever possible, concerning decisions such as when and where the mediation session will take place, who will be present, and who will speak first. Cases should be carefully screened regarding the readiness of both victim and offender to participate. The facilitator should conduct in-person, pre-mediation sessions with both parties and make follow-up contacts, including the monitoring of any agreement reached.