

Appendix B – Student Discipline Policy and Code of Conduct

INTRODUCTION

Integration Charter Schools shares the same guiding mission as all schools in the Integration Charter Schools organization- integrating students with and without special needs and emotional challenges. It is our philosophy that all students experience a rigorous curriculum with a college and career focus, and are held to high, appropriate standards of behavior and conduct. We have implemented several universal supports to help all students rise to this challenge and meet our outlined expectations. Such supports include Wellness classes two times per week, small class and school sizes supported by two adults in the room for the majority of the school week, low teacher and counselor to student ratio, and a robust clinically trained counseling team.

ICS schools focus on positive behavior management systems and supports and interventions as we strive to create an educational environment where all students can succeed and grow. We provide students the opportunity to correct or redirect behaviors, identify triggers and behavioral antecedents, and make positive choices. Through in-class support provided by teachers and educational assistants and a curriculum that explicitly identifies and teaches self-management strategies, we expect students to succeed in learning to manage their own behaviors and become active and engaged participants in their education.

ICS recognizes that students may face challenges from time to time and that they may manifest as infractions according to our Code of Conduct. In the event a student's behavior is disruptive to the educational environment and/or poses a danger to the student or others, their behavior will be addressed with supports and interventions and/or disciplinary responses consistent with the requirements of due process. The school makes every effort to limit the use of suspensions and expulsions. There may also be circumstances when the school will impose a disciplinary consequence without first trying a support or intervention, based on the nature of the incident.

Positive Behavioral Intervention Systems

Our Positive Behavior Intervention System (PBIS) includes universal and individualized, age-appropriate, positive behavioral supports embedded throughout the school day. Examples of PBIS may include but are not limited to:

- a points system where points and rewards can be earned for specific behaviors
- opportunities to celebrate student success and incentivize positive behavior
- a holistic approach to identifying students' achievements and celebrating their academic and social-emotional growth
- an honor roll system
- opportunities throughout the year to earn privileges such as parties, trips, prizes, raffles, certificates, remote celebrations and special events
- individualized goal plans with built in incentives

Supports and Interventions

Integration Charter Schools HERE offers creative, school-level, developmentally appropriate behavioral supports and interventions that are uniquely designed to be responsive to student body and/or individual student needs. Such supports and interventions are collaboratively designed by our instructional and counseling teams. The overarching goals of these supports and interventions include encouraging/increasing positive behavior, building a sense of school community and culture, and encouraging leadership, teamwork and individual growth. The following describes the supports and interventions that may be used by Integration Charter Schools in response to behavioral incidents:

Restorative Practices: Restorative practices provide students with behavioral management and/or interpersonal skills and opportunities for the person(s) who caused harm to the community or to individuals, to be accountable for their actions. After a harm has been caused, restorative practices seek to heal and repair the relationship(s) while allowing participants space to learn and grow. These practices may also be used for welcome back circles as a way of transitioning a student back into the community after a suspension or as a mediation process to resolve a conflict, an argument, or fight between peers and in some instances between students and staff when an incident has occurred. Involvement in restorative practices is a voluntary activity. If a student does not wish to participate in restorative practices an alternative intervention/consequence will be planned by the school.

Community Service: Community service allows students to develop skills and engage in real-life solutions to help the school or local community. It holds students accountable for their behavior and allows them to make positive amends to the school or local community in order to counter their earlier misconduct. Parents will be notified that we will be scheduling this intervention and outreach can include but is not limited to a phone call or written communication.

Seminars: The purpose of a Seminar is to take an educational approach to help students avoid negative behaviors. Often students do not understand the impacts of their actions and the Seminar is designed to help students understand how others perceive their actions. Examples of Seminar topics may include Bullying and Harassment Prevention, Avoiding Inappropriate Touching and Maintaining Personal Boundaries, Engaging in Appropriate Social Interactions, etc. All efforts will be made to schedule seminars during non-instructional periods; however, if a seminar must be conducted during an instructional period, students will have opportunities to make up any work that is missed. Parents will be notified that we will be scheduling this intervention and outreach can include but is not limited to a phone call or written communication.

Parent/Guardian Conference: We consider parents and guardians our partners and aim to maintain ongoing communication around student success as well as areas of concern. When designing unique student interventions, we will request a parent/guardian conference so they are given the opportunity to provide us with feedback and participate in any “at home” intervention components. Instructional staff may contact parents or guardians and request a conference on the phone, remotely or in person depending on the nature of the issue. Parents and guardians can also

contact the school to request a conference should they have any concerns regarding their child's experience at the school.

Counseling referral: School based counseling (individual, family or group) is provided by our team of clinically trained mental health professionals. Counseling may be recommended to address academic, personal or social issues. Individual counseling provides students with an outlet to share issues that may be negatively impacting attendance, behavior and/or academic success. Individual, family or group counseling can address needs such as stress or anger management, communication and interpersonal skills and/or conflict resolution. Students may discuss and formulate goals, and learn problem solving strategies to overcome obstacles and address a variety of personal challenges. All students have access to our counselors throughout the day for crisis intervention, and counselors perform risk assessments and linkages to emergency services as needed. Should a psychiatric evaluation or community based individual, family or group therapy be indicated, counseling will reach out directly to parents and guardians to discuss the need and process for obtaining these services.

Collaborative Problem Solving: When a student engages in challenging behavior, a trained instructional staff member and/or counselor along with the parent or guardian (when warranted) may use a collaborative problem-solving process to identify the specific issues that are precipitating the behavior, articulate the staff and family concerns about the behavior, and engage the student in a collaborative process to address the underlying reasons for the behavior and decide upon a plan of action that is both realistic and mutually acceptable to both.

Development of Individual Behavior Plan or Contract: When a student engages in challenging behavior, the student may meet with a trained instructional staff member and/or counselor along with the parent or guardian (when warranted) to develop an individualized behavior plan or contract signed by the student and teacher and, where appropriate, by the parent or guardian. These contracts or plans include goals and the specific performance tasks that the student will accomplish to meet those goals.

Reflect, Connect, Learn (RCL) program: In certain cases of disruptive behavior, a student may participate in the Reflect, Connect, Learn (RCL) program. With the assistance of a counselor and/or instructional staff member, students reflect upon their actions and decisions, learn skills to help them regulate their behavior and develop a plan for correction. Parents or guardians will be notified that we will be scheduling this intervention and outreach can include but is not limited to a phone call or written communication. We will also explain why the child will be attending the RCL program and encourage family discourse regarding the incident. Students will be given the opportunity to make up school work that is missed during this process, and upon successful completion will return to class. If a student is resistant to this process and/or does not actively participate, the parent/guardian will be contacted to discuss next steps and alternative options. If the student remains in the RCL program for the rest of the day, the student will receive direct instruction from teachers and it will be counted as a half day of removal/suspension; the parents will be contacted and proper due process procedures will be followed.

Disciplinary Consequences

Disciplinary consequences are as follows:

Lunch Reflection: When a student engages in challenging behavior, instructional staff may refer the student to participate in Lunch Reflection. Students will be asked to report to a designated room with their lunch and work with assigned staff members to reflect upon their behavior(s), the impact their behavior(s) have on others and themselves, and learn skills to improve their behavior(s). There may also be a written component where students are asked to share their reflections in writing using a template. Parents will be notified that their child will participate in Lunch Reflection and outreach can include but is not limited to a phone call or written communication.

After School Reflection: With parent consent, students may be asked to participate in an after school reflection session. Students will work with a staff member to reflect upon their behavior(s), the impact their behavior(s) have on others and themselves, and learn skills to improve their behavior(s). There may also be a written component where students are asked to share their reflections in writing using a template.

Loss of Privileges: When a student engages in challenging behavior, they may lose the privilege to participate in extracurricular activities, trips, assemblies, or special events, with parent notification. The student will be provided with instruction.

Temporary Confiscation: Teachers or other staff members may temporarily confiscate cell phones or other personal technology, or other items that disrupt the learning environment (items will be returned to parent/guardian).

Temporary Exclusion from District-Provided Transportation: The Principal may temporarily exclude a student (other than a student with an IEP or 504 Plan mandating bus service) from district-provided transportation, based upon the student's behavior on the bus, if all other attempts to resolve such behavior fail. Prior to excluding a student from the bus, the Principal will arrange a conference with the student's parent/guardian and other appropriate personnel to help resolve the student's behavioral problems on the bus and to arrange other means, if necessary, of getting the student to school. Exclusion from the bus does not mean suspension from school and shall not last for longer than five (5) consecutive days.

Short-Term Suspension: A short-term suspension refers to the removal of a student from the Integration Charter Schools community for disciplinary reasons for a period of up to ten (10) days. This includes in-school and out-of-school suspension. Procedures are set forth below.

Long-Term Suspension: A long-term suspension refers to the removal of a student from the Integration Charter Schools community for disciplinary reasons for a period of more than ten (10) days. This includes in-school and out-of-school suspension. Procedures are set forth below.

Expulsion: Expulsion refers to the permanent removal of a student from school for disciplinary reasons. Procedures are set forth below.

Cell Phones/Personal Technology (“All Devices”) Policy

Students may bring cell phones or other personal technology (“All Devices”) to school. All Devices must be silenced before entering school.

All Devices must be silenced, put away (or placed in school issued storage, as applicable) and may not be used:

- during the school day except as authorized by the teacher or the school,
- during safety drills, and
- during the administration of any school quiz, test, or examination, except as authorized by the teacher or the school, or pursuant to an Individualized Education Plan or a Section 504 accommodation plan.

Students who use cell phones or personal technology in violation of the Code of Conduct, this policy, and/or the Internet Acceptable Use Policy will be subject to discipline in accordance with the Code of Conduct.

Students who choose to bring cell phones and/or personal technology to school are fully responsible for their cell phone and/or other personal technology and must keep the item on their person or store the item. ICS and Integration Charter Schools are not responsible for lost, stolen, or damaged personal cell phones and/or other personal technology.

Student Internet Acceptable Use Policy

The student is ultimately responsible for his/her actions in accessing technology provided by Integration Charter Schools including but not limited to computers, laptops and tablets for use in school and at home. Failure to comply with the guidelines of technology use may result in the loss of access privileges and/or appropriate disciplinary action. Severe violations may result in civil or criminal action under New York or Federal law. Students are expected to observe the following:

Guidelines

1. ICS technology provided to students will be used solely for the purpose of research, education, and school-related activities.
2. Access to ICS technology is a privilege, not a right. Inappropriate use will result in cancellation of these privileges and appropriate disciplinary measures.
3. Students are expected to maintain their instructional files and media in a responsible manner, which includes backing up files at regular intervals to a memory device or cloud service and deleting files at the end of the school year. Teachers are available to assist students with this process.

4. Students are responsible for their individual accounts and should take reasonable precautions to prevent others from being able to use their account. Under no conditions should a student provide their password to another person except to a teacher, school administrator or their parent/guardian.
5. All school e-mail accounts and information accessible and accessed via Integration Charter Schools technology is and shall remain the property of Integration Charter Schools.
6. Student computer configurations shall not be altered, this is including but not limited to screensavers, desktop settings, network settings, passwords, etc.
7. The student must immediately report to their teacher any issues occurring with their school computer or technology device.
8. Integration Charter Schools has the right to closely monitor student activity on any ICS provided technology and take disciplinary action and/or remove computer and networking privileges for any activity deemed unethical or unacceptable. ICS has the right to take legal action or report to proper authorities any unlawful activity.
9. Integration Charter Schools actively uses internet filtering software and hardware to meet the Federal Children's Internet Protection Act (CIPA) requirement and to prevent students from accessing graphics that are (a) obscene, (b) pornographic, or (c) harmful to minors. Integration Charter Schools retains the right to block unacceptable web sites. Filtering software is not a perfect science and it may be possible for users to access inappropriate sites. However, Integration Charter Schools will take appropriate disciplinary action for those who attempt to disable, bypass or otherwise circumvent the ICS content filter that has been installed in accordance with the Federal Children's Internet Protection Act.
10. If a student mistakenly accesses inappropriate information, they should immediately minimize their screen and tell their teacher. This will protect the student against a claim that he/she has intentionally violated this policy.
11. Students will not make deliberate attempts to disrupt or harm the computer system or its hardware or destroy data by spreading computer viruses or any other malicious software or by any other any means. Use or possession of "hacking" tools are prohibited.
12. A filtered email account may be provided to students for educational purposes and not as a public or student forum.
13. Students will promptly disclose to their teacher or other school employee any message or information they receive that is inappropriate or makes them feel uncomfortable while on the web, or while using e-mail, chat rooms, forums or other forms of messaging services (if authorized by the teacher).

14. Students will not post or share information that could cause damage or a danger of disruption to Integration Charter Schools or any other organization or person.
15. Students are prohibited from accessing or attempting to access instant messages, chat rooms, forums, e-mail, social networking sites, or other messaging services during the instructional day unless authorized by a teacher or school administrator for instructional purposes.
16. Students will not plagiarize works they find on the internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were yours. Plagiarism could result in loss of grade for the assignment in addition to other consequences.
17. Students will not download or install pirated software, music, video or files that infringe on copyright laws onto any ICS provided technology. Possession of unlicensed or pirated software is illegal.
18. Students will not tamper with, change, or alter a record or document of the school by any method, including, but not limited to, computer access or other electronic means.
19. Teachers will provide alternate activities for students who do not have permission to use the internet.
20. If Integration Charter Schools reasonably determines that the student has willfully damaged/hacked any school hardware/software, Integration Charter Schools reserves the right to apply the appropriate disciplinary action to the student who is responsible for such violation.

Violations of this Policy

ICS, including central offices and schools, reserves the right to terminate any user's access to ICS internet systems, including access to ICS email - at any time. If a student violates this policy, appropriate disciplinary action will be taken consistent with the Code of Conduct. If a student's access to ICS internet systems is revoked, the student may not be penalized academically, and ICS will ensure that the student continues to have a meaningful opportunity to participate in the educational program. All users must promptly disclose to their teacher or principal any information they receive that is inappropriate or makes them feel uncomfortable.

The Principal or designee will contact the student's parent/guardian if a student violates the school's Student Internet Acceptable Use policy.

Non-Discrimination Policy

Integration Charter Schools welcomes all students equally. All students will be treated as individuals and different treatment based on real or perceived race, color, national origin,

disability status, sex, sexual orientation or religion, or any other characteristic protected by local, state, or federal law, will not be tolerated. Anyone who feels that he or she has been treated differently on any such basis should speak with a counselor, who will apprise the Principal of all reports. Anyone who raises any concerns of discrimination on any basis will be free from retaliation for raising such a concern.

Search and Seizure

For the safety of students and everyone in the Integration Charter Schools community, school property that is assigned to students, including but not limited to desks, cubbies and lockers, remain the property of the school. Students, therefore, have no expectation of privacy in these areas. School authorities will make an individual search of a student's bag, backpack, desk or other school property assigned to students, or person only when there is reasonable suspicion to believe that a student is in the possession of an item which is prohibited on school property or which may be used to disrupt or interfere with the educational process. Searches will 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 from students' desks or other school property assigned to students, bag, backpack, and person by school authorities.

Dignity for All Students Act Policy (DASA)

Integration Charter Schools is committed to providing a safe and productive learning environment in which all students are treated with respect and dignity. In accordance with New York State's Dignity for All Students Act ("DASA"), Integration Charter Schools will promptly address all incidents of harassment and/or discrimination of or by any student enrolled at the school. This includes bullying, taunting or intimidation in all their myriad forms.

Policy Definitions:

"School property" means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus, as defined in section 142 of the vehicle and traffic law.

"School function" means a school-sponsored extracurricular event or activity.

"Harassment" and *bullying* shall mean 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, sexual orientation, gender or sex. For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.

"*Cyberbullying*" shall mean harassment or bullying as defined above, where such harassment or bullying occurs through any form of electronic communication.

Student Rights:

No student shall be subjected to harassment or bullying, including cyberbullying, by employees or students on school property or at a school function. Additionally, no student shall 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 a school function.

The Integration Charter Schools Code of Conduct prohibits harassment and bullying, and students who engage in such behavior will be disciplined as set forth in the Code of Conduct. Further, Integration Charter Schools reserves the right to discipline students, consistent with our Code of Conduct, who engage in harassment or bullying of students off school property under circumstances where such off-campus conduct:

1. affects the educative process;
2. endangers the health and safety of Integration Charter Schools students within the educational system; or
3. is reasonably believed to pose a danger to the health and safety of Integration Charter Schools students within the educational system.

This includes written and/or verbal harassment or bullying which materially and substantially disrupts the work and discipline of the School and/or which school leaders reasonably forecast as being likely to materially and substantially disrupt the work and discipline of the school.

If you are concerned that your child has been a victim of harassment, bullying or discrimination, please contact the school Principal, Assistant Principal, or the Dignity Act Coordinator (DAC) identified below.

Dignity Act Coordinator (DASA Coordinator or DAC):

Integration Charter Schools has designated the following staff member(s) to serve as the Dignity Act Coordinator ("DASA Coordinator" or "DAC"). The DASA Coordinator 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 name and contact information for the Integration Charter School's DAC is posted on the school's website under "Parent Resources" and is as follows:

Lavelle Prep Elementary: Amanda Casertano, Certified Teacher, acasertano@lavelleprep.org

Lavelle Prep Middle School: Mona Widdi, Assistant Principal, MWiddi@lavelleprep.org

Lavelle Prep High School: Alkida Budlla, Certified Teacher, abudlla@lavelleprep.org

Richmond Preparatory Charter School: Omri Shick, Principal,
oshick@richmondprepcharter.org

New Ventures Charter School: Nicholas Sayegh, Dean of School Culture
nsayegh@newventurescharter.org

The Lois & Richard Nicotra Early College Charter School: Margaret Rucci, Certified Teacher, mrucci@nicotracharter.org

The DAC can be reached at (347)-855-2238.

The DAC is accessible to students and other employees for consultation and advice.

DASA at Integration Charter Schools:

Bullying awareness and prevention is part of our school culture. From the beginning of the school year and subsequently reinforced thereafter in the Wellness curriculum, students are advised of the school's DASA policy, reminded that bullying and harassment are violations of the Code of Conduct, and informed of how they can access the Dignity Act Coordinator (DASA Coordinator or DAC). In order to keep our school safe and build community, all students are encouraged to immediately report any instances of bullying to a member of the school staff (Principal, Assistant Principal, teacher, counselor or other trusted adult.)

Bullying awareness and prevention includes discussions about the definition of bullying, the bystander role and the importance of protecting one another: "If you see something, say something". Developmentally appropriate anti-bullying activities may include making anti-bullying posters, kindness initiatives, participation in community events and participation in the national anti-bullying month.

Reporting and Investigating:

All Integration Charter Schools staff members are responsible for reporting harassment, bullying or discrimination of which they have been made aware to their immediate supervisor. Any student who believes that s/he is being subjected to harassment, bullying or discrimination, as well as any other person who has knowledge of or witnesses any possible occurrence of harassment, bullying or discrimination, shall report the harassment, bullying or discrimination to

any staff member, the DAC, or the Principal. A staff member who witnesses harassment, bullying or discrimination or who receives an oral or written report of harassment, bullying or discrimination shall promptly orally notify the Principal not later than one school day after witnessing, or receiving a report of, such acts and shall file a written report with the Principal not later than two school days after making such oral report.

The Principal or his/her designee shall promptly investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority (e.g., Deputy Chief Schools Officer or Chief Schools Officer) and/or other official designated by the ICS Board of Trustees to investigate allegations of harassment, bullying or discrimination. When an investigation reveals any such verified harassment, bullying or discrimination, the School will take prompt actions that are reasonably calculated to: end the harassment, bullying or discrimination; eliminate any hostile environment; create a more positive school culture and climate; and prevent recurrence of the behavior. Any such actions shall be consistent with Integration Charter Schools's Code of Conduct, which utilizes appropriate education and social-emotional supports and interventions and/or disciplinary consequences to respond to behavioral infractions, including bullying and harassment. Follow-up inquiries and/or appropriate monitoring of the alleged harasser and victim shall be made to ensure that the harassment, bullying or discrimination has not resumed and that those involved in the investigation of allegations of harassment, bullying or discrimination have not suffered retaliation.

The Principal shall provide a report on data and trends related to harassment, bullying, and/or discrimination to the President of ICS at least once during each school year.

Material incidents of harassment, bullying and/or discrimination will be reported to the State Education Department as required by law.

The Principal shall promptly notify law enforcement authorities when the Principal believes that any harassment, bullying or discrimination constitutes criminal conduct.

No Retaliation:

Integration Charter Schools prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of harassment, bullying or discrimination. All complainants and those who participate in the investigation of a complaint in conformity with state law and school policies and who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

Distribution of Policy:

Integration Charter Schools shall distribute a written or electronic copy of this Policy to all employees, students, and parents/guardians at least once during every school year.

Code of Conduct

Overview

At Integration Charter Schools, we want to ensure that there is a fair and consistent Code of Conduct (“Code”) so that students know what is expected of them at all times. We have developed a school-wide discipline system that recognizes students for positive behavior, while ensuring that appropriate disciplinary action is taken when students do not adhere to the Code.

Student disciplinary offenses are those actions or inactions that violate the School’s Code of Conduct or interfere with the delivery of educational services, jeopardize the health, safety, and well-being of any member of the school community, or threaten the integrity and stability of the school itself.

- A disciplinary offense may occur while the student is:
 - at school, whether remote or in person, and/or on school grounds;
 - participating in a school-sponsored activity, whether remotely or in person, including internships and college courses arranged and/or facilitated for students by the school;
 - walking to or from school or a school-sponsored event;
 - walking to or from, waiting for, or riding on school-provided or district-provided transportation; or
 - walking to or from, waiting for, or riding on public transportation to and from school or a school-sponsored activity conducted off school grounds;

- School-related disciplinary offenses may also include misconduct outside the school, including texting, e-mailing and/or activity on social media, when such behavior can be demonstrated to negatively affect the school learning environment or to endanger the school community.

School administration will use their professional judgment in determining which disciplinary action(s) will be most effective in dealing with the student’s misconduct, taking into account the following factors:

- The student’s age and maturity level;
- The nature and seriousness of the behavior and the circumstances/context in which the behavior occurred;
- The student’s previous disciplinary record;
- The effectiveness of other forms of discipline;
- Information from parents/guardians, teachers and/or others, as appropriate;

- The student’s Individualized Education Plan (IEP), Behavioral Intervention Plan (BIP), and/or 504 Plan, if applicable;
- The student’s attitude; and
- Other relevant factors.

When a student does not meet behavioral expectations and a violation of the School’s Code has occurred, clear and consistent disciplinary action will ensue, and other consequences as further described below.

In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed, school personnel may use reasonable physical force to protect a person or property from physical injury or damage, or to restrain or remove a student whose behavior is interfering with the orderly exercise and performance of school functions, powers and duties, if the student has refused to comply with a request to refrain from further disruptive acts.

When required, school administration will contact law enforcement agencies.

The following chart of infractions is not exhaustive but provides examples of violations of the Code that may result in disciplinary consequences. The chart may be modified from time to time or supplemented by Integration Charter Schools upon advance notice to students and families.

Progressive Infraction Levels

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

Level 1 - Uncooperative/Noncompliant Behavior
<p><u>Behaviors are:</u></p> <ul style="list-style-type: none"> ● Out of class without a pass ● Running in the halls ● Minor violation of Internet Acceptable Use Policy or Cell Phones/Personal Technology Policy ● Minor damage to school property ● Using obscene, profane or vulgar language, gestures or behavior

- Behaving in a manner which disrupts the educational process (e.g., making excessive noise in a classroom, library, or hallway)
- Verbal altercation
- Repeated failure to adhere to the school uniform policy or non-uniform dress code (interventions/consequences shall be limited to Parent/Guardian Conference or Lunch Reflection)
- Bringing items to school that disrupt the learning environment
- Failing to be in one's assigned place on school premises
- Posting or distributing material on school premises without permission
- Using school computers, fax machines, telephones, or other electronic equipment or devices without appropriate permission
- Giving false information to and/or misleading school personnel
- Misusing property belonging to others
- Engaging in or causing disruptive behavior on transportation to and from school
- Engaging in academic dishonesty, including cheating or plagiarizing

Possible Interventions and/or Consequences:

- Parent/Guardian Conference
- Seminar
- Restorative circle/mediation
- Community Service
- Counseling Referral
- Collaborative Problem Solving
- Development of Individual Behavior Plan or Contract
- Lunch Reflection
- Loss of Privileges
- Temporary Confiscation

Level 2 - Disorderly/Disruptive Behavior

Behaviors are:

- Repeated Level 1 behavior
- Disorderly conduct during safety drill/fire drill/lockdown drill
- Verbal altercation which creates a dangerous situation
- Shoving, pushing, play fighting or engaging in a minor physical altercation or similar physical confrontational behavior toward students or school personnel or throwing an object, or spitting at another person
- Defying or disobeying the directive of school personnel, including school security
- Possession and/or use of tobacco, cigarettes, electronic cigarettes, matches, lighters, and/or vaping devices
- Gambling
- Possessing, taking or attempting to take property belonging to another or belonging to the school without authorization, without using force or intimidating behavior
- Major violation of Internet Acceptable Use Policy, including but not limited to

- tampering with, changing, or altering a record or document of the school by any method, including, but not limited to, computer access or other electronic means
- Inappropriate touching, including unwanted physical contact of any sort

Possible Interventions and/or Consequences:

- Parent/Guardian Conference
- Seminar
- Restorative circle/mediation
- Community Service
- Counseling Referral
- Collaborative Problem Solving
- Development of Individual Behavior Plan or Contract
- Reflect Connect Learn (RCL)
- Lunch Reflection
- After School Reflection
- Loss of Privileges
- Temporary Confiscation
- Short-term in-school or out-of-school suspension

Level 3 - Aggressive or Injurious/Harmful/Dangerous Behavior

Behaviors are:

- Repeated Level 2 behavior
- Engaging in harassing, intimidating, and/or bullying behavior, including using electronic communication to engage in such behavior (cyber-bullying); such behavior includes, but is not limited to: physical violence; stalking; verbal, written, or physical conduct that threatens another with harm; seeking to coerce or compel a student or staff member to do something; hazing; taunting; exclusion from peer groups designed to humiliate or isolate; using derogatory language or making derogatory jokes or name calling to humiliate or harass.
- Engaging in harassing, intimidating and/or bullying behavior, including using electronic communication to engage in such behavior (cyber-bullying) based on an individual's actual or perceived race, color, religion, religious practices, ethnicity, national origin, citizenship/immigration status, gender, gender identity, gender expression, sexual orientation, sex, disability or weight; such behavior includes, but is not limited to: physical violence; stalking; verbal, written, or physical conduct that threatens another with harm; seeking to coerce or compel a student or staff member to do something; hazing; taunting; exclusion from peer groups designed to humiliate or isolate; using derogatory language or making derogatory jokes or name calling to humiliate or harass.
- Using slurs based upon actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, religion, religious practice, gender, gender identity, gender expression, sexual orientation, sex, or disability
- Fighting/Participating in use of force or physical violence against another person that may or may not result in injury

- Possessing, taking or attempting to take property belonging to another or belonging to the school without authorization, using force or intimidating behavior
- Major damage to school property
- Possession or use of hazardous material, pepper spray or mace
- Falsely activating an emergency alarm
- Bringing unauthorized persons to school or allowing unauthorized visitors to enter school
- Sexual Misconduct: includes engaging in sexual conduct on school premises or at school-related functions or sexually aggressive behavior
- Sexual Harassment: includes but is not limited to making sexually suggestive comments, innuendoes, propositions, or similar remarks, or engaging in nonverbal conduct of a sexual nature
- Indecent public behavior, or sending or posting sexually suggestive messages or images
- Engaging in gang-related behavior (e.g., wearing or displaying gang apparel and/or accessories, writing graffiti, making gestures or signs) (NOTE: In determining whether the behavior is gang related, school officials may consult with the NYPD Gang Unit)
- Posting, distributing, displaying, or sharing literature or material containing a threat of violence, injury or harm, or depicting violent actions against, or obscene, vulgar or lewd pictures of, students or staff, including but not limited to posting such material on the Internet
- Engaging in physically aggressive behavior which creates a substantial risk of or results in minor injury
- Coercing, threatening, planning, or instigating an act of violence, injury, or harm to other(s)
- Engaging in or causing disruptive behavior on the bus which creates a substantial risk of or results in injury
- Leaving school premises without permission of supervising school personnel
- Presence in non-school areas of buildings and/or grounds where schools are located, including parking lots
- Creating a substantial risk of serious injury to staff or student through reckless or intentional behavior or use of an object capable of causing physical injury

Possible Interventions and/or Consequences:

- Parent/Guardian Conference
- Seminar
- Restorative circle/mediation
- Community Service
- Counseling Referral
- Collaborative Problem Solving
- Development of Individual Behavior Plan or Contract
- Reflect Connect Learn (RCL)
- Lunch Reflection
- After School Reflection
- Loss of Privileges

- Temporary Confiscation
- Temporary Exclusion from District-Provided Transportation
- Short-term in-school or out-of-school suspension
- Long-term in-school or out-of-school suspension

- Level 4 - Seriously Dangerous or Violent Behavior

Behaviors are:

- Repeated Level 3 behavior
- Possession, sale, display or use of a weapon or weapon-like object
- Possession or use of controlled substances or prescription medications without appropriate authorization, illegal drugs, synthetic hallucinogens, drug paraphernalia, and/or alcohol
- Selling or distributing illegal drugs or controlled substances and/or alcohol
- Causing serious harm to staff or student through reckless or intentional behavior or use of an object capable of causing physical injury
- Bullying/harassment (including sexual harassment); repeated or substantial instances of verbal or physical behavior towards students or staff creating a hostile, dangerous or intimidating and/or offensive environment; includes cyberbullying
- Inciting/causing a riot
- Making a bomb threat
- Making a threat of violence
- Using force against or attempting to inflict serious injury against school personnel
- Starting a fire/arson
- Using extreme force against or inflicting or attempting to inflict serious injury upon students or others
- Instigating, or participating with another or others, in an incident of group violence
- Engaging in dangerous or violent behavior that is gang-related (NOTE: In determining whether the behavior is gang-related, school officials may consult with the NYPD Gang Unit)
- Engaging in physical sexual aggression/compelling or forcing another to engage in sexual activity
- Possessing or using a bomb, or other explosive

Possible Interventions and/or Consequences:

- Parent/Guardian Conference
- Seminar
- Restorative circle/mediation
- Community Service
- Counseling Referral
- Collaborative Problem Solving
- Development of Individual Behavior Plan or Contract
- Reflect Connect Learn (RCL)
- Lunch Reflection
- After School Reflection
- Loss of Privileges

- Temporary Confiscation
- Short-term in-school or out-of-school suspension
- Long-term in-school or out-of-school suspension
- Expulsion

Gun Free Schools Act Policy

Federal and State laws require the expulsion from School for a period of not less than one year of a student who is determined to have brought a firearm to the School, or to have possessed a firearm at school, except that the Chief Executive Officer/President of ICS 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).

Any such expulsion must comply with the Individuals with Disabilities Education Act and its implementing regulations, for a student with or presumed to have disabilities.

“Firearm” as used in this law is defined by 18 USC § 921(a), and includes firearms and explosives.

The President of ICS shall refer to the criminal justice or juvenile delinquency system any student who brings a firearm or weapon to the school. “Weapon” as used in this context shall mean any weapon, device, instrument, material, or substance that is used for or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and half inches in length.

Procedures and Due Process for Short-Term Suspensions

A short-term suspension refers to the removal of a student from the Integration Charter Schools school community for disciplinary reasons for a period of up to ten (10) days. This includes in-school and out-of-school suspension.

The Principal may impose a short-term suspension and shall follow due process procedures consistent with applicable federal case law. Before imposing a short-term suspension, the Principal shall notify the student orally of the charges against him or her. If the student denies the misconduct, the Principal must provide an explanation of the evidence against the student. The student shall be given an opportunity to deny or explain the charges against him/her that led to the suspension. The Principal shall immediately notify the parent(s) or guardian(s) in writing that the student will be suspended from school. The written notice shall be provided by personal delivery or express mail delivery within 24 hours of the decision to impose suspension at the last known address(es) of the parent(s) or guardian(s). Notification shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parent(s) or guardian(s).

The notice shall provide a description of the incident for which suspension is proposed and shall inform the parent(s) or guardian(s) of their 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(s) or guardian(s). At the conference, the parents or guardians of the student and the student shall have the opportunity to present the student's version of the incident and to ask questions of the complaining witnesses under such procedures as the Principal may establish. The 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.

An appeal of the decision of the Principal to impose a short-term suspension may be made to the ICS Board of Trustees, which will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the Board via email to board_chair@integrationcharterschools.org or by letter sent to:

ICS Board of Trustees
c/o Integration Charter Schools
1 Teleport Drive, 3rd Floor
Staten Island, NY 10311

The Board of Trustees will issue a written decision no later than thirty (30) days after receipt of the appeal. Final decisions of the Board of Trustees may be appealed to the School's authorizer:

New York State Education Department
Charter School Office
89 Washington Avenue
Room 5N Mezzanine
Albany, NY 12234
(518) 474-1762

Procedures and Due Process for Long-Term Suspensions or Expulsion

A long-term suspension refers to the removal of a student from the Integration Charter Schools school community for disciplinary reasons for a period of more than ten (10) days. This includes in-school and out-of-school suspension. Expulsion refers to the permanent removal of a student from school for disciplinary reasons. This is the final level of correction.

Upon determining that a student's action warrants a possible long-term suspension or expulsion, the following procedure, consistent with applicable federal case law, will be followed:

- The student shall immediately be removed from the class or the School, as needed.
- The Principal shall verbally inform the student of the charges and the evidence for those charges; where applicable, the student will have the opportunity to explain his or her side of the events.

- The Principal shall immediately notify the student's parent(s) or guardian(s) of the student, in person or on the phone.
- The Principal shall provide written notice that the School is going to commence a disciplinary hearing to the student and his or her parent(s) or guardian(s), by personal delivery or express mail delivery as soon as possible to the last known address of the parent(s) or guardian(s). Such notice shall provide a description of the incident that resulted in the suspension and shall state 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) if it is known to be other than English.
 - The notice will state that at the formal hearing, the student shall have the right to be represented by counsel, present and question witnesses, and present evidence.
- The School will set a date, time, and place for the formal hearing, which shall be set forth in the written notice described above.
- An audio recording of the hearing will be created and made available to all parties upon request.

The Chief Executive Officer/President of ICS, or his/her designee, shall serve as hearing officer and preside over the hearing. When the Chief Executive Officer/President does not serve as hearing officer, the designated hearing officer shall provide a report to the Chief Executive Officer/President which shall be advisory only, and the Chief Executive Officer/President may accept or reject all or part of it. A written decision will be issued within five (5) school days after the formal hearing to the student and his/her parent(s) or guardian(s).

An appeal from the written decision may be made to the ICS Board of Trustees, which will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the Board via email to board_chair@integrationcharterschools.org or by letter sent to:

ICS Board of Trustees
 c/o Integration Charter Schools
 1 Teleport Drive, 3rd Floor
 Staten Island, NY 10311

The Board of Trustees will issue a written decision no later than thirty (30) days after receipt of the appeal. Final decisions of the Board of Trustees may be appealed to the School's authorizer:

New York State Education Department
 Charter School Office

89 Washington Avenue
Room 5N Mezzanine
Albany, NY 12234
(518) 474-1762

Provision of Instruction During Removal

Integration Charter Schools will ensure that alternative educational services are provided to a student who has been suspended or removed to help that child progress in the general curriculum of Integration Charter Schools. Alternative instruction for suspended students will be of sufficient duration to enable a student to cover all class material, take all tests and quizzes, keep pace with other students, and progress to the next grade level. All suspended students are entitled to receive alternative instruction commencing within 24 hours of the suspension or expulsion. Alternative instruction dates and times will be listed on the student's suspension letter. All students will be provided with a minimum of two hours per day of alternative instruction.

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 or until the end of the school year, whichever comes first.

Alternative instruction will be arranged to take place at Integration Charter Schools. One or more of the following individuals will provide instruction: teacher, teacher aide. Please note that whoever administers this instruction will meet all certification requirements as stipulated in Section 2854(3)(a-1) of the New York State Education Law.

Discipline for Students with Disabilities

In addition to the disciplinary procedures applicable to all students, the following procedures are applicable to 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 that is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 C.F.R. § 300.534—that a disability exists shall also be disciplined in accordance with these provisions. Integration Charter Schools shall comply with sections 300.530-300.536 of the Code of Federal Regulations 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.

Integration Charter Schools shall maintain written records of all suspensions and expulsions of students with disabilities including the name of the student, a description of the relevant behavior, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

Students whose 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 immediately be referred to the appropriate Committee on Special Education (CSE) for any consideration of changes.

A student identified as having a disability 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.

Integration Charter Schools will ensure that the Vice President of Career Development/Student Integration or special education teacher and/or the general classroom teacher will attend all meetings regarding their students initiated by the CSE of the student's district of residence. These meetings could be relating to the development and implementation of behavioral intervention plans, initial referrals, change in service, annual reviews, or Manifestation Determination Reviews (MDRs), among other things.

Provision of Services During Removal

Integration Charter Schools will place students in an interim alternative educational setting as appropriate and mandated by 34 C.F.R. §§ 300.530 and 300.531.

Students removed for a period of fewer than ten cumulative days during the school year will receive all classroom assignments and a schedule to complete such assignments during the time of their suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension. The School also shall provide alternative instruction to assist the student, so that he or she is given full opportunity to complete assignments and master the curriculum, including additional instruction, 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 student to progress appropriately in the general curriculum and in achieving the goals of his or her IEP. In these cases, school personnel, in consultation with the student's special education teacher, shall make the service determination.

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 progress appropriately 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.

During any removal for drug, weapon, controlled substance and/or seriously bodily injury offenses pursuant to 34 C.F.R. § 300.530(g), services will be provided to the extent necessary to enable the student to progress appropriately 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.

Additional Due Process (MDR)

If discipline that would constitute a change in placement is contemplated for any student with a disability, the following steps shall be taken: (1) no later than the date on which the decision to take such action is made, the parent(s) or guardian of the student with a disability shall be notified of that decision and provided the procedural safeguards notice described in 34 C.F.R. § 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 student's disability and the behavior that is the subject of the disciplinary action.

If, upon review, it is determined that the student's behavior was a manifestation of his or her disability, the student will be permitted to return to school immediately, in lieu of beginning or completing the period of suspension, except as provided in 34 C.F.R. § 300.530(g); a functional behavioral assessment (FBA) must be conducted (unless an FBA was conducted before the behavior that resulted in the change of placement occurred) and a BIP must be implemented for the student, or the existing BIP must be reviewed and modified as necessary to address the behavior. If it is determined that the student's behavior was not a manifestation of his or her disability, then the student may be disciplined in the same manner as a student without a disability, except as provided in 34 C.F.R. § 300.530(d), which relates to the provision of services to students with disabilities during periods of removal.

A student's parent(s) or guardian(s) may request a hearing to challenge an interim alternative educational setting or a manifestation determination by appealing the decision. If a parent or guardian requests a hearing to challenge an interim alternative educational setting or a manifestation determination, the student must remain in the 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 resulting in a disciplinary change in placement that would exceed ten (10) consecutive school days, including a disciplinary change in placement relating to drug, weapon, controlled substance and/or serious bodily injury offenses, whichever occurs first, unless the parent or guardian and the School agree otherwise.

Students with a Section 504 Plan and "Deemed to Know" Students

With regard to disciplinary actions, including suspension or expulsion, the rights of charter school students with disabilities under Section 504 of the Rehabilitation Act of 1973 (Section 504) are essentially the same as the rights of charter school students with disabilities under the Individuals with Disabilities Education Act, as described above, with minor differences in procedures depending upon the governing law and regulations. However, for a student who receives Section 504 accommodations, Integration Charter Schools's Section 504 team, rather

than the CSE of the student's district of residence, is responsible for conducting the manifestation determination review in connection with any significant disciplinary change in placement, in accordance with the requirements of Section 504.

A student who has not been determined to be eligible for special education and related services is entitled to all of the protections provided under federal law for students with disabilities if, before the behavior that led to the disciplinary action occurred, Integration Charter Schools is "deemed to have knowledge" that the student was a student with a disability, in accordance with 34 C.F.R. § 300.534.

When addressing discipline for students with disabilities, including students with Section 504 plans or those students for whom the School is "deemed to have knowledge," Integration Charter Schools will comply with applicable legal requirements governing the discipline of a student for misconduct.

Compliance with the Child Find Requirements of IDEA

Integration Charter Schools will comply with the federal Child Find requirements (34 CFR §300.111), which require schools to have in place a process for identifying, locating and evaluating students with disabilities. Students enrolling for the first time in a New York public school will be screened by a team of teachers (including both regular and special education teachers) to identify any possible indication that the child may need a specialized or Individualized Education Program, or referral to the CSE of the student's district of residence. Other students will be brought to the attention of the team if they are demonstrating any problems within the regular classroom environment. Strategies will then be implemented to address any identified special needs of the student. Should the problems persist and a disability is suspected, the student will be referred to the CSE of the student's district of residence for an evaluation.