



2026 - 2027



# BUFFALO PUBLIC SCHOOLS STANDARDS FOR CONDUCT, CHARACTER, AND SUPPORT



## **Buffalo Public Schools**

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# Directory of Support Services for Students and Families

If a student or parent needs assistance or services beyond the school, the following offices may be helpful:

## Concerns Regarding the Implementation of the Standards for Conduct, Character, and Support

Students and parents have the right to report any violations or misapplication of the Standards for Conduct, Character, and Support, as well as related policies.

If a student or parent is not satisfied with how a concern is addressed, they may submit a verbal or written complaint to the school principal. If the concern remains unresolved, the student or parent may contact Chief Antoinette Amos, Ombudsperson by email at [ombudsperson@buffaloschools.org](mailto:ombudsperson@buffaloschools.org).

<b>Alternate Instruction</b>	716-816-4968
<b>Attendance Services</b>	716-816-3593 Ext 3
<b>Board of Education HR &amp; Switch Board Operation</b>	716-816-3500
<b>Central Processing Center</b> (Registration and Placement)	716-816-3717
<b>Family and Community Engagement (FACE)</b>	716-816-3170
<b>Guidance and Counseling</b>	716-816-3702
<b>Home Schooling Office</b>	716-816-3133
<b>McKinney-Vento Homeless Education Program</b>	716-816-3718
<b>Medical Leave Home Instruction</b>	716-816-4968
<b>Multilingual Education</b>	716-816-3577
<b>Office of Parent Advocacy</b>	716-816-4678
<b>Pre-School</b>	716-816-3060 Ext. 3
<b>Pupil Personnel Services</b> (Suspension Hearings)	716-816-3547
<b>Security</b>	716-816-3707
<b>Social Emotional &amp; Wellness Support</b>	716-816-3912
<b>Special Education</b>	716-816-3060
<b>Special Education Student Placement</b>	716-816-3060 Ext. 1
<b>Superintendent's Office</b>	716-816-3575

## INTRODUCTION

### Why do we have Standards for Conduct, Character, and Support?

The goal of the Buffalo Public School District's **Standards for Conduct, Character, and Support** (also known as "The Code of Conduct"), is to outline expectations which are aimed at ensuring that all students receive a high quality education in a safe, engaging, and caring environment that supports student success in school and in life. The Standards are based on laws, regulations, and policies that create access to education for all while protecting the due process rights of the individual. For our schools to be safe and supportive environments, everyone within the school community must demonstrate and offer mutual respect and cooperation. Students are most likely to make positive decisions when they understand the expectations, know that adults care about them and when they feel valued.

The **Standards for Conduct, Character, and Support** is for the entire school district and all its individual school communities. It lays out the Buffalo Public Schools' expectations for students, parents, guardians and caregivers, and school-based staff. It applies to all students while in Buffalo Public School District schools and on school grounds, in school vehicles, at school-related and district-sponsored activities including those held at locations off school property. It also applies to actions that occur outside of school hours and off school property when behavior can negatively affect the educational process or endanger the health, safety, morals, or welfare of the school community.

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## GUIDING PRINCIPLES

The Buffalo Public School District **Standards for Conduct, Character, and Support** is based on key principles for ensuring that our schools are safe, orderly, and supportive environments in which teaching and learning take place each day.

All adults (parents, guardians, caregivers and school staff) have an obligation to help students learn to be good citizens by:

- helping students learn right from wrong
- fostering a desire to make good decisions
- encouraging them to take responsibility for their actions and words
- modeling behaviors that we want to see students emulate

Policies and practices must be implemented in ways that are respectful. Adults are expected to protect the dignity of every student and ensure a tone of decency, compassion, and respect.

Improving educational outcomes for all students requires that schools provide support, with behavior support directed at



The Buffalo Public School District's **Standards for Conduct, Character, and Support** serves to ensure that students have equitable access to behavioral supports and interventions that promote positive behavior, help enable students to develop self-discipline and social-emotional efficacy and enable students to improve and correct behaviors that do not contribute to a welcoming school environment.

Please read the **Standards for Conduct, Character, and Support** in its entirety. It should be used as a guide and reference throughout the upcoming school year.

addressing academic learning gaps, lagging skills, and the root causes of misbehavior. Prevention and intervention strategies may include more personalized instruction, support services, and programming to address personal and family circumstances and social-emotional learning.

### **PARENTS, GUARDIANS, AND CAREGIVERS AS PARTNERS**

Students, parents, guardians, caregivers, and school staff all have a role in making school a safe learning environment and must cooperate with one another to achieve this goal. School staff **must** ensure that parents, guardians, or caregivers are informed of their child's behavior and enlisted as partners in reinforcing positive behavior and addressing areas in need of growth. Parents, guardians, and caregivers are encouraged to discuss any concerns or history that may affect student behavior and discuss any known effective strategies with their child's teacher and other school staff. Open communication is essential, and parents, guardians, and caregivers are the experts on their children.



### **EQUITY**

Student discipline, policies, and practices must be implemented in ways that are fair, equitable, & differentiated. All students must be treated fairly without favor toward or prejudice against any one group of students according to ability, age, gender, disability, race, ethnic group, socioeconomic status, religious or spiritual orientation, or indigenous heritage.

### **TRAUMA SENSITIVITY**

Awareness and intervention are essential when behaviors may be symptomatic of more serious problems that students are experiencing. It is important that school personnel be sensitive to issues that may influence the behavior of students and respond in a manner that is most supportive of their needs. Appropriate disciplinary responses should emphasize prevention and effective intervention, prevent disruption to learning, and promote a positive school culture.

### **PRO-SOCIAL BEHAVIOR**

Each Buffalo school *will* promote a positive school climate and culture that provides students with supports so that they can grow both academically and socially. Schools take a proactive role in nurturing students' pro-social behavior by providing a range of positive behavioral supports as well as meaningful opportunities for social-emotional learning. Effective social-emotional learning helps students develop fundamental life skills. Examples include implementing social emotional lessons, classroom guidance lessons, and a variety of social skills groups.

### **STUDENT ENGAGEMENT**

Student engagement is integral to creating a positive school culture and climate that fosters students' social-emotional growth and academic achievement. Providing students with multiple opportunities to participate in a wide range of pro-social activities and, at the same time, bond with caring, supportive adults can help prevent negative behaviors.

Examples can include providing students with meaningful opportunities to share ideas and concerns and participate in school-wide initiatives; student leadership development; periodic recognition of students' achievement in a range of academic and co-curricular areas; using corrective feedback; and developing school-wide positive behavior systems. Such opportunities, coupled with comprehensive guidance prevention and intervention, provide students with the experience, strategies, skills, and support they need to thrive.

### **ATTENDANCE**

Attendance at school is vital to a student's academic progress and success. School staff will ensure that appropriate outreach, intervention, and support are provided for students who exhibit attendance problems that may manifest themselves as truancy or patterns of unexcused absence. In cases of truancy, school personnel must meet with the student and parent, guardian, or caregiver in order to determine needed supports and an appropriate course of action which may include, but is not limited to: building based intervention, referral for counseling, program recommendations, and/or linkage to community based resources. The building-based process for implementing the Multi-Tiered System of Supports for Behavior (MTSS-B) should include a regular review of the data for students that display chronic/severe absenteeism. Implementation of interventions prescribed by MTSS-B will consider the input of the classroom teacher, attendance teachers, attendance designees, and the Student Support Team (school counselors, social worker, and school psychologist) to identify barriers to student attendance and determine viable resolutions and support a strong emphasis on students being present and prepared for school every day. BPS Policy #7110 provides information on student attendance expectations.





## RIGHTS AND RESPONSIBILITIES

All members of the school community must assume a responsible role in promoting behavior that enhances academic and social success. Courteous, respectful, and responsible behavior fosters a positive climate and promotes learning.

### STUDENTS LEARN BEST WHEN:

- adults serve as positive role models
- there is unconditional acceptance of differences
- respect and civility are modeled by all
- behavioral expectations are clearly defined and consistently enforced

### STUDENTS HAVE A RIGHT TO:

- a quality education in a school environment that is safe, orderly and promotes learning
- be respected as an individual and treated courteously, fairly, and respectfully by other students and school staff
- express one's opinions verbally or in writing, within appropriate limits under the law provided that the rights of others are not diminished
- dress in such a way as to express one's personality if it does not violate the District's Dress Code
- be afforded equal and appropriate educational opportunities
- be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at any school sponsored activity
- Participate in all school activities and clubs as part of the formal education process or as authorized by the school principal (The previous bullet confirms rights of protected groups)
- have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems
- attend school in the district in which one's legal parent or legal guardian resides and receive a free and appropriate public education from age 5 to 21, as provided by law

### STUDENTS HAVE A RESPONSIBILITY TO:

- attend school daily, regularly and on time, perform assignments, strive to do the highest quality work possible, be prepared to learn, and be granted the opportunity to receive a good education
- know and comply with school district expectations, rules and policies
- respect everyone in the school community and to treat others in the manner that one would want to be treated
- express opinions and ideas in a respectful manner so as not to offend, slander, or restrict the rights and privileges of others
- dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting
- be aware of available educational programs in order to use and develop one's capabilities to their maximum
- work to the best of one's ability in all academic and extracurricular activities as well as being fair and supportive of others
- seek help and assistance when needed
- respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act
- conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination
- report and encourage others, to report any incidents of intimidation, harassment, or discrimination





Parents and caregivers have a right to be active participants in the learning process, to express their views and to provide input into decisions that affect their children. They are vital to the success of students in school. Parents and caregivers should have high expectations for their children.

**PARENTS, GUARDIANS AND CAREGIVERS HAVE A RIGHT TO:**

- be actively involved in their children’s education
- be treated courteously, fairly, and respectfully by all school faculty and staff
- receive information about the policies of the Buffalo Board of Education and procedures that relate to their children’s education
- receive regular reports, written or oral, from school staff regarding their children’s academic progress or behavior, including but not limited to report cards, behavior progress reports and conferences
- receive information and prompt notification of inappropriate or disruptive behaviors by their children and any disciplinary actions taken by principals or school staff
- receive information about due process procedures for disciplinary matters concerning their children, including information on conferences and appeals
- receive information from school staff about ways to improve their children’s academic or behavioral progress, including, but not limited to, counseling, tutoring, after-school programs, academic programs, and mental health services within Buffalo Public Schools and the community
- receive information about services for students with disabilities and English language learners, when applicable
- receive communication through provided translators
- report and encourage others, to report any incidents of intimidation, harassment, or discrimination

**PARENTS, GUARDIANS AND CAREGIVERS HAVE THE RESPONSIBILITY TO:**

- provide updated contact information to Buffalo Public Schools and their children’s individual schools
- make sure their children attend school regularly and on time
- let the school know when and why children are absent
- tell school officials about any concerns or complaints in a respectful and timely manner
- work with principals and school staff to address any academic or behavioral problems their children may experience
- support Buffalo Public Schools by being a role model for their children, talking with their children about school and expected behavior

- read and become familiar with the policies of the Board of Education, administrative regulations and the Standards for Conduct, Character, and Support
- give their children a space to complete their homework or allow participation in after-school programs that promote the completion of homework
- be respectful and courteous to staff, other parents, guardians, caregivers and students while on school premises
- teach their children respect and kindness for themselves, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child’s confidence and promote learning in accordance with the Dignity for All Students Act

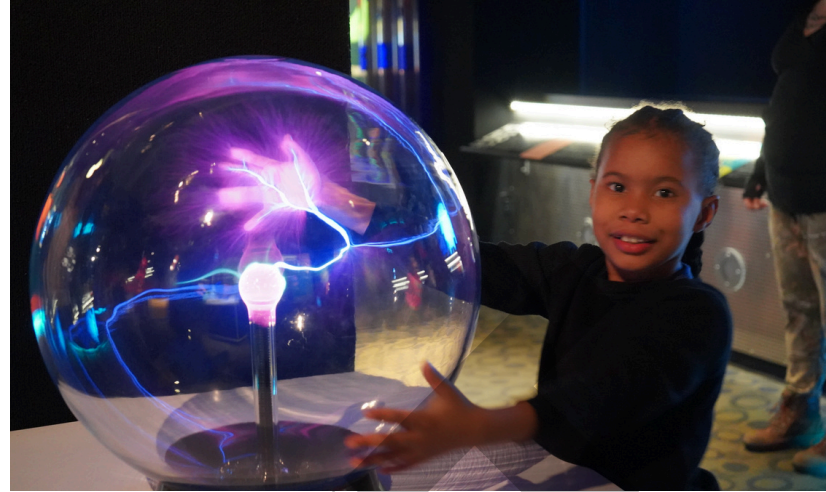
**PRINCIPALS AND SCHOOL STAFF HAVE A RIGHT TO:**

- work in a safe and orderly environment
- be treated courteously, fairly, and respectfully by students, parents, guardians or caregivers, and other school staff
- communicate concerns, suggestions, and complaints to Buffalo Public Schools’ district office
- receive supportive professional development and training
- receive the necessary resources to deliver quality instruction
- modify instruction, if consistent with the policies of the Buffalo Board of Education and with system regulations

**PRINCIPALS AND SCHOOL STAFF HAVE A RESPONSIBILITY TO:**

- attend work daily, be punctual and use well-planned, creative, and engaging instructional plans every day
- maintain safe and orderly schools by using prevention and intervention strategies, and by following the Buffalo Public Schools’ Standards for Conduct, Character, and Support
- be respectful and courteous to students, parents, guardians and caregivers serving as role models for students
- be knowledgeable about the policies of the Board of Education and administrative regulations and rules, and enforce them fairly and consistently
- be knowledgeable about federal and state laws and regulations about the disciplinary process for students with disabilities
- communicate policies, expectations, and concerns, and respond to complaints or concerns from students and parents, guardians or caregivers in a timely manner and in a language they understand
- make sure that students are referred to the appropriate committees, departments, offices, divisions, agencies, or organizations when outside support is necessary
- keep parents and guardians informed of student academic progress and behavior, create meaningful opportunities for their participation, and provide regular communication in a language they understand
- provide makeup work for students with lawful absences, including those students who are absent for disciplinary reasons
- participate in required professional development opportunities
- maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students’ self-image and promote confidence to learn

- confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function
- address personal biases that may prevent equal treatment of all students in the school or classroom setting
- report incidents of discrimination and harassment that are witnessed or otherwise brought to the attention of the teacher, school counselor, student support services personnel, or other staff, to the principal, in a timely manner
- Principals: Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the principal's attention in a timely manner in collaboration with the District Dignity Act Coordinator (DAC)



**BPS DISTRICT ADMINISTRATORS HAVE A RESPONSIBILITY TO:**

- create and implement policies and procedures that encourage safe and orderly schools for all students, school staff, and principals
- protect the legal rights of school staff, principals, students, and parents, guardians or caregivers
- be courteous, respectful, and fair with students, parents, guardians or caregivers, school staff, and principals
- provide a broad-based and varied curriculum to meet individual school needs
- inform the community, students, and parents, guardians or caregivers, school staff, and principals about policies of the Board of Education
- ensure the protection of legal rights of students with disabilities
- provide schools with staff who are trained to meet the needs of students
- provide support and professional development training to principals and school staff to help them support students
- support principals and school staff in the fulfillment of their disciplinary responsibilities as defined by Buffalo Public Schools' Standards for Conduct, Character, and Support
- contact and involve parents, guardians or caregivers regarding disciplinary issues

**BPS SUPERINTENDENT HAS THE RESPONSIBILITY TO:**

- promote a safe, orderly, respectful, and stimulating environment, free from intimidation, discrimination, and harassment, supporting active teaching and learning
- review with the District administrators the policies of the Board of Education and state and federal laws relating to school operations and management
- inform the School Board about educational trends, including student discipline
- work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs
- work with District and School administrators in enforcing the Standards for Conduct, Character, and Support and ensuring that all incidents are resolved promptly, fairly and equitably
- address all areas of school-related safety concerns

**THE BOARD OF EDUCATION HAS THE RESPONSIBILITY TO:**

- collaborate with students, teachers, administrators, parent organizations, school safety personnel, other school personnel and the community to develop a Standards for Conduct, Character, and Support that clearly defines expectations for the conduct of students, District personnel and other persons on school property and at school functions
- adopt and/or review at least annually the District's Standards for Conduct, Character, and Support to evaluate the Code's effectiveness and the fairness and consistency of its implementation
- ensure appointment of a Dignity Act Coordinator (Principal) in each school building. The principal will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The principal or their designee will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act
- lead by example by conducting Board meetings in a professional, respectful, courteous manner. It is further expected that the Board of Education will take appropriate measures where violations of the Standards for Conduct, Character, and Support occur.



# DISMANTLING THE SCHOOL-TO-PRISON PIPELINE

The “school-to-prison pipeline” refers to the policies and practices (such as zero tolerance policies and disproportionality) that push schoolchildren, especially our most at-risk children, out of classrooms and into the juvenile and criminal justice systems. A supportive approach to discipline helps keep students in class and out of the justice system. To make this happen, we need to rethink our mindset and how we respond to behavior. This Code offers guidance to help schools use discipline that is fair, caring, and focused on helping students grow.

To support students effectively, schools must:

- use a social-emotional & trauma informed lens
- build strong relationships & cultural competency
- provide student-centered instruction
- shift from punishment to skill-building
- avoid criminalizing student behavior
- use restorative practices
- create school wide systems that support a positive school climate
- teach coping, communication, and conflict-resolution skills



## EXAMPLES OF DISMANTLING THE PIPELINE

### CHALLENGING OR INAPPROPRIATE VERBAL RESPONSE

If a student expresses frustration through their words when given a verbal direction, here are some responses to avoid, as well as recommended responses for adults:

#### ADULT RESPONSES TO AVOID

- Showing personal offense or reacting emotionally, because emotional replies reassert adult authority over students.
- Linking a student’s behavior to their character (e.g., “You’re making a bad choice”).
- Referring the student for disciplinary action by another adult.

#### RECOMMENDED ADULT RESPONSES

- Use calm, nonverbal cues to show you’re not reacting emotionally (e.g., mindful breathing).
- Offer steady, patient, even-tempered responses using empathy and choice (e.g., “You’re telling me that was really upsetting, or “You can use X strategy or Y strategy as an in-class break to help yourself cool down”).
- Note what triggers students and build a relationship with them when they are regulated (e.g., using topics of interest or humor).
- Take steps to address root issues (e.g., adjust seating, set expectations, hold 1:1 problem-solving conferences).

### TRUANCY

If a student is frequently absent from or tardy to their first period class and is failing, here are some responses to avoid, as well as recommended responses for adults:

#### ADULT RESPONSES TO AVOID

- Communicating- verbally or nonverbally- that a student’s tardiness reflects a character flaw.
- Using zero-tolerance actions that draw attention to the student’s lateness (e.g., refusing to admit them to class).
- Abandoning efforts to support the student (e.g., not offering chances to make up missed work).

#### RECOMMENDED ADULT RESPONSES

- Communicate (verbally or nonverbally) that we believe everyone does well when they can, and that lateness can have many causes, while reaffirming the school’s commitment to supporting student success.
- Use restorative actions that set limits, reduce barriers, encourage high expectations for attendance, and emphasize why being present matters for student growth.
- Maintain empathy and collaborate with the student through check-ins or conferences to problem-solve and support improvement.
- Continue strengthening home-school partnerships and school-wide efforts to reduce attendance barriers, recognizing that these challenges may stem from long-standing social inequities.

# DIGNITY FOR ALL STUDENTS ACT (DASA)

## Getting Help with Bullying, Cyberbullying, Harassment, Intimidation, Hazing, & Bias Behavior

New York State's **Dignity for All Students Act**, or **DASA**, is a state law intended to create a learning environment free of discrimination and harassment for all students

The law states that no student shall be subjected to discrimination, harassment, or bullying (including cyberbullying) based on, but not limited to, their actual or perceived race, color, weight, nationality, ethnicity, religion, religious practice, disability, sexual orientation, gender which includes gender identity and/or expression, or sex, by employees or other students on school property and at school functions

The CROWN (Creating a Respectful and Open World for Natural Hair) Act

- o DASA was amended in 2021 and added the CROWN Act which prohibits racial discrimination based on hair texture and protective hairstyles
- o Protective hairstyles shall include, but not be limited to, such hairstyles as braids, locks, and twists

### Reporting Requirements Specific to Discrimination, Harassment, Bullying, and Cyberbullying:

#### Step 1

- Complete the electronic Report Bullying Form on the Buffalo Public School's website.  
<https://www.buffaloschools.org/o/bps/page/report-bullying-at-your-school-dasa> **OR**
- Obtain the Report Bullying Form from the main office and submit it to the DASA Coordinator (Building Principal and designated Co-coordinator). **OR**
- Provide a verbal report to any adult who works at the school (that adult must make a report to the DASA Coordinator). **OR**
- Use the QR code below

#### Step 2

- The building principal (DASA Coordinator) and assistant principals are notified of the electronic complaint via email

#### Step 3

- Parent/caregiver of both parties involved are notified and informed of the incident

#### Step 4

- DASA coordinator or designee begins an investigation through conducting interviews and collecting evidence, if applicable

#### Step 5

- Following the investigation, the principal or designee will notify parents/caregivers of the results.

#### Step 6

- The school develops a targeted student support action plan that includes interventions such as restorative conferences, referrals for additional social-emotional support, and enrollment in Tier 2 or Tier 3 interventions.

### If You are Being Bullied...

- Tell someone — a parent/guardian/caregiver, a teacher, a counselor, administrator
- Calmly tell the student to stop...or say nothing and walk away
- Submit a DASA form

### If You Know Someone who is Being Bullied...

- If you feel safe, be an "Upstander" and
  - o Tell the bully to stop
  - o Say words of support to the student being bullied—Be a friend!
  - o Don't encourage the bully by laughing or joining in or posting pictures/video
  - o Tell other bystanders how to help stop bullying
- If it doesn't feel safe...
  - o Tell an adult
  - o Encourage the bullied student to talk to a trusted adult

### What do I do if my child is bullying others?

- Develop clear and consistent rules within your family for your child's behavior
- Praise and reinforce your child for following rules and use non-physical consequences for rule violation
- Carefully supervise and monitor your child's activities
- Know who your child's friends are and how and where they spend free time

### Electronic Report Bullying QR Code



**SCAN HERE**

### References

<https://www.nyscfss.org/the-dignity-for-all-students-act>

# PREVENTATIVE Practices/INTERVENTION PREVENTIVE STRATEGIES/Framework

The Buffalo Public School District recognizes, identifies, and promotes social and emotional development. As such, systems and opportunities are created for students to develop their social and emotional competencies. Safe and supportive environments are created to ensure healthy and respectful relationships. Social, emotional, & behavioral practices will be pursuant to local, state, and/or federal laws, regulations, and guidance.

Accordingly, schools will:

- promote a safe and supportive environment free from discrimination, intimidation, taunting, harassment, and bullying on school property, school buses, and/or at a school function
- promote positive social-emotional health and development for all school communities throughout the district including, but not limited to, positive conflict-resolution and restorative practices, striving to reduce punitive consequences and suspensions
- ensure that relationship building is integrated into the school's community. This could include but not be limited to morning meeting time, advisory, and/or use of restorative practices that seek to build positive relationships within the school community
- uphold social justice and equity concepts, practicing mutual respect for individual differences at all levels of school interactions – student-to-student, adult-to-student, and adult-to-adult
- develop, implement, and maintain systems to identify and support the positive social and emotional development of all school communities through a trauma informed lens. Work alongside all stakeholders to increase systemic Social-Emotional Learning (SEL) and trauma informed practice implementation. Members of the school community will teach, practice, model, learn, and increase their proficiency in SEL core competencies
- ensure that all students receive, in a timely manner, evidenced-based interventions with sensitivity to the stage of emotional development, background, family/community history and culture
- ensure the implementation of the MTSS: B (Multi-Tiered System of Supports: Behavior) framework

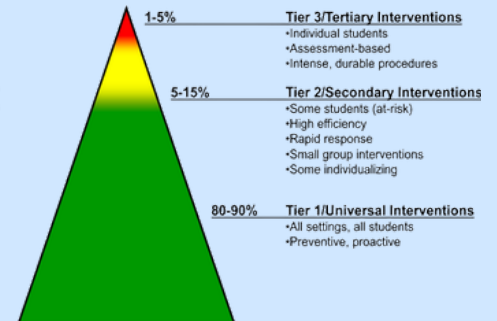
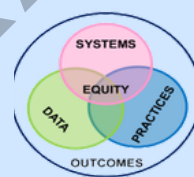
**Multi-Tiered System of Supports (MTSS) Framework** is a comprehensive system that utilizes data and a team approach to promote student wellness and improve engagement in learning. The MTSS Framework provides social, emotional, behavioral supports, interventions and strategies. The interventions and strategies are organized into three tiers of layered support:

- Tier 1 schoolwide/universal approaches for all
- Tier 2 targeted intervention services for some
- Tier 3 individualized intervention services for few

**Tier 1/Universal Systems** provides the entire school with core instruction and basic interventions. This helps to build positive relationships between staff and students. It includes proactive strategies aimed at creating a safe and supportive atmosphere. Tier 1 supports and interventions can include but are not limited to the following:

- Primary Prevention
- Schoolwide Expectations
- Classroom Expectations
- Social Emotional Learning
- Health and Wellness Supports
- Restorative Community Building Circles
- Restorative Practices

## Multi-Tiered System of Support (MTSS) Framework



**Tier 2/Secondary Systems** provide targeted interventions to support students who are not responding to universal strategies. Tier 2 interventions provide additional time/instruction for students' skill development, additional structure/predictability, and/or increased opportunities for feedback. The most common evidence-based Tier 2 interventions provided in Buffalo Public Schools include but are not limited to:

- **Check-In Check-Out (CICO)**
  - Students check in with their designated CICO Facilitator before the beginning and at the end of each school day to receive positive contact, pre-corrects, reminders of school-wide expectations and, if needed, basic school supplies. At the end of each class period, classroom teachers provide behavioral feedback, based on the school-wide expectations, on a Daily Progress Report Card (DPR).
- **Social Academic Instructional Groups (SAIG)**
  - In small groups, students are provided with direct instruction on social-emotional and behavior skill development.
- **Mentoring**
  - Mentoring involves one adult meeting with one or more students at a time, one or more times per week, to provide pre-corrects and a positive connection with the school through a positive relationship.

## **RESTORATIVE PRACTICES**

**Restorative Practices (RP) is a safe and supportive approach to taking responsibility for our actions. By repairing harm and promoting fairness, we help create a more respectful school and community.**

Student discipline, policies, and practices must be implemented in ways that are accountable and restorative. Students and families need to know that the school will provide interventions inside and outside the classroom that support a restorative, rather than punitive response. Students have the option to accept assigned consequences and fully participate in the interventions designed to address specific behaviors. These interventions require students to own the problem, reflect on the impact of their behavior on themselves and others, understand why the behavior was unacceptable or inappropriate, and identify what they can do differently next time, as well as repair harm.

We need to be aware that the person whose actions we are attempting to correct must be in a place where they admit they were wrong and want to make amends or alter their behavior.

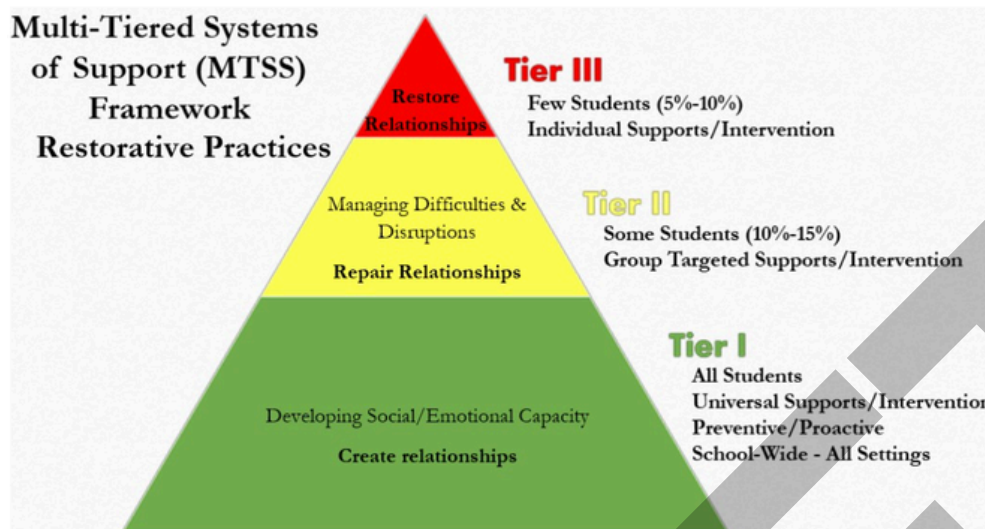
### **Benefits of Restorative Practices**

- Establish a safe school community.
- Reduce misbehavior, violence, bullying, short and long-term suspensions.
- Supports relationships among students, staff and families.
- Repair the harm caused by misbehavior.
- Reintegrates students into a positive learning environment.

**Tier 3/Tertiary Systems** provide intensive support for students who continue to experience difficulty after participating in universal (Tier 1) and targeted (Tier 2) efforts. Tier 3 interventions prevent identified problem behaviors and/or decrease the frequency or intensity of problem behaviors through individualized plans. The most common evidence-based Tier 3 interventions provided in Buffalo Public Schools include but are not limited to:

- **Behavior Support Plans (BSP)**
  - An approach to correcting inappropriate or disruptive student behavior through a plan designed by school staff to offer positive behavioral interventions, strategies and supports. This plan is appropriate for students with and without disabilities. A BSP is developed based on the function of behavior.
- **Function Based Behavioral Intervention Plans (BIP)**
  - Involves gathering information about students' inappropriate or disruptive behavior and determining approaches that school staff should take to correct or manage student behavior.
- **Individual Counseling**
  - Student centered sessions to address social emotional and behavioral needs.

With MTSS interventions and implementation, Buffalo Public Schools can reduce the use of reactive discipline measures in schools (e.g., office discipline referrals, detentions, suspensions, expulsions) for all students.



**Tier I  
Create Relationships**

**AFFECTIVE STATEMENTS** refer to the tone in which we speak to students to help us build relationships and show that we care about the students. It is a powerful skill to model ways of expressing our feelings and needs. For example:

- "I feel frustrated when I hear side conversations during a lesson because I need everyone to have the opportunity to focus."
- "I like the way you worked for the whole class period today," is more effective than just saying "good job."
- "I am happy with the way you worked for the whole class period today. You finished all of your assignments."
- "I am concerned about the safety of our classroom when materials are left on the floor, as I need to ensure a safe environment for everyone."

**Key Components of an Effective Affective Statement**

To create your own, try to combine these elements to avoid triggering defensiveness in others:

1. I feel (insert emotion: frustrated, sad, happy, worried)
2. when (specific, observable behavior: when you talk while I speak)
3. because I need/value (your need: my need for quiet, the value of shared work)
4. Would you be willing to (propose a solution: work with me on this?)

**Classroom COMMUNITY BUILDING/ACADEMIC CIRCLES** are facilitated group dialogues that build community, strengthen relationships, and resolve conflicts by creating a safe space for everyone to speak and be heard, focusing on mutual understanding, shared responsibility, and repairing harm rather than blame or punishment, using a talking piece for equal participation.

Establishing restorative circles as a daily classroom routine for students provides the teacher with a productive strategy to use as a response to poor choices and as a vehicle for discussion when creating respect and classroom norms. This should be established in the beginning of the school year so that students understand expectations and a positive classroom culture can be developed.

**SOCIAL-EMOTIONAL LEARNING (SEL)** is the process through which all young people and adults acquire and apply the knowledge, skills, and attitudes to develop healthy identities, manage emotions and achieve personal and collective goals, feel and show empathy for others, establish and maintain supportive relationships, and make responsible and caring decisions.

## Tier 2 Repair Relationships

**RESTORATIVE CONVERSATIONS** is a guided, empathetic dialogue focused on repairing harm and rebuilding relationships after a conflict, using specific questions to help individuals take responsibility, understand impact, and collaboratively find solutions, rather than just punishing. It emphasizes accountability, empathy, and community building, moving beyond “right or wrong” to focus on how actions affect people and how to heal those connections.

### Examples of Restorative Questions

- When Challenging Behavior:
  - What happened?
  - What were you thinking of at the time?
  - What have you thought about since?
  - Who has been affected by what you have done? In what way?
  - What do you think you need to do to make things right?
- When Someone Has Been Harmed:
  - What did you think when you realized what had happened?
  - What impact has this incident had on you and others?
  - What has been the hardest thing for you?
  - What do you think needs to happen to make things right?

\*Courtesy of the International Institute of Restorative Practices

**Restorative questions can also be effective for individual student restorative reflections.**

### Examples of Restorative Practices

**Restorative Conference** is a formal response to conflict where the facilitator helps both parties explore what happened and who was affected.

**Restorative Reflections** is an exercise in which students respond to restorative questions and steps as they try to reflect on their actions and make a better plan.

**Restorative Harm Repair Circles** are full scale circles involving students, parents (guardians or caregivers), advocates and those affected.

## Tier 3 Restore Relationships

**RESTORATIVE CONFERENCES** is a structured, voluntary meeting facilitated by a neutral third party that brings together people harmed by wrongdoing (victims) and those who caused the harm (offenders) to discuss the incident, its impact, and agree on how to repair the harm and restore relationships, often resulting in a concrete plan for restitution or changed behavior. It focuses on healing, accountability, and finding a positive way forward, including support people (family, community) for all parties, rather than just punishment. This is appropriate for students who acknowledge they have done harm and want to repair the relationship.



*The Buffalo City School District is committed to maintaining a safe and supportive learning environment for all students. Behavioral Risk Assessment & Management (BRAM) is one way we support student safety while promoting student well-being.*

### WHAT IS BRAM?

The Behavioral Risk Assessment & Management (BRAM) is a proactive approach designed to identify, assess, and provide appropriate interventions and supports for students who exhibit concerning behaviors and/or communications, including those who may pose a threat of violence. BRAM emphasizes early identification and intervention, particularly for students who may not yet intend to engage in violent behavior but are beginning to view violence as a potential option or who have a history of using violence as a means of coping or problem-solving.

BRAM is a structured and systematic process used when a student demonstrates behaviors, actions, or statements that raise concerns about safety or well-being. The model supports collaboration among school personnel to assess risk, connect students with appropriate resources, and implement strategies that promote safety, support, and positive outcomes for both the student and the school community.

**A BRAM may be initiated when school staff or a parent/caregiver observes behaviors or communications that raise concern for safety or wellbeing, including but not limited to:**

- Concerning or significant changes in behavior
- Verbal statements expressing intent or ideation related to targeted violence toward the school, a specific group, or the broader school community
- Written, electronic, or online threats
- Behaviors or communications that pose a risk of targeted violence
- Statements indicating harm to self, which may also be assessed using the BPS Youth Suicide Intervention Protocol

A BRAM may also be initiated in response to disciplinary infractions that involve threats or safety concerns, including but not limited to:

- #5 Bomb threat / swatting
- #17 Harassment (Targeted)
- #18 Hate crime
- #30 Threat against school personnel
- #31 Threat of school violence
- #33 Weapons (with intent to harm others)

The goal of the BRAM process is to understand the situation comprehensively and respond appropriately, prioritizing support, intervention, and risk reduction rather than automatic or punitive disciplinary actions. BRAM seeks to identify underlying factors, assess risk, and connect students to appropriate supports while maintaining school safety.

### WHAT HAPPENS DURING A BRAM?

When a concern is reported, the school-based BRAM team will:

1. Gather relevant information about the situation from available sources.
2. Interview the student, staff, and parents/guardians, as appropriate, to obtain a comprehensive understanding of the concern.
3. Assess the level of concern using established guidelines and professional judgment.
4. Develop and implement a plan that may include supports, interventions, and/or safety measures, as needed.

### BRAM IS...

A proactive, restorative framework that focuses on understanding why students behave the way they do and responding in ways that support growth and success.

BRAM is:

- Focused on understanding behavior rather than simply reacting to it
- Evidence-based and data-driven, using information to guide decisions and supports
- Fair, consistent, and student-centered, ensuring equitable responses for all learners
- Oriented toward early intervention, addressing concerns before they escalate
- A collaborative process with families, recognizing that strong partnerships support positive outcomes

### BRAM IS NOT...

- Automatic suspension or punishment
- A disciplinary process
- Used to label students
- A prediction of future behavior

### YOUR RIGHTS AS A PARENT/CAREGIVER

When a BRAM is initiated involving your child, you have the right to:

- Be actively involved throughout the BRAM process.
- Be notified promptly — School staff will contact you as soon as a concern is identified.
- Be heard — Your perspective on your child's behavior, history, strengths, and needs is important and will be thoughtfully considered.
- Ask questions — You may ask questions at any time about the concern, the process, and next steps.
- Participate in developing the support plan — No plan will be finalized without your input and collaboration.
- Request a meeting — You may request a meeting with school staff at any point during the process.
- Receive documentation — You may request and receive a copy of any plan or documentation related to your child's BRAM.

### You are not alone in this.

The BRAM process is not about blame — it is about building a team around your child. The student support team and administrators are here to work with you, not against you. Every family who engages with this process is taking a powerful step toward keeping their child safe and supported.

## HOW PARENT/CAREGIVER CAN GET INVOLVED

### STEP 1 Speak Up Early

If you notice changes at home — in mood, behavior, friendships, or online activity — contact your child's school student support team or administrator right away. You do not need to wait for a crisis.

### STEP 2 Stay Connected

Respond to calls and emails from school staff promptly. Attend any scheduled meetings. The more we communicate, the faster and more effectively we can support your child.

### STEP 3 Be a Partner in the Plan

Share what you know about your child's strengths, stressors, and history. Help implement the support plan at home. Your insights are essential — you know your child best.

## WHAT TO EXPECT WHEN YOU ARE CONTACTED

Receiving a call from your child's school can feel stressful. We want you to know that these conversations are meant to be supportive and transparent. Here is what you can typically expect:

- 1. Clear communication:** A school staff member will contact you to explain the concern and what was observed.
- 2. Your voice matters:** You will have the opportunity to share your perspective and any relevant information from home.
- 3. Collaborative problem-solving:** Together, you and the school team will discuss next steps and available supports.
- 4. Planning and follow-up:** If needed, a written plan will be developed, and follow-up check-ins will be scheduled.
- 5. Ongoing partnership:** You will be kept informed throughout the process—no decisions will be made without your involvement.

## QUESTIONS PARENTS/CAREGIVERS OFTEN ASK

### Will my child get in trouble?

Not automatically. BRAM is not a disciplinary process. Its purpose is to better understand what may be happening with your child and to identify appropriate supports. The focus is on safety, well-being, and helping your child succeed—not punishment.

### Will this go on my child's permanent record?

No. BRAM documentation does not become part of your child's permanent record. All information related to BRAM is kept confidential and handled in accordance with district policies and the Family Educational Rights and Privacy Act (FERPA).

### What if I disagree with the school's assessment?

Your voice matters. Parents and guardians have the right to ask questions, share concerns, and request clarification at any point. We value open, honest communication and encourage collaboration throughout the process.

### How can I help my child at home during this time?

You can help by:

- Keeping open and supportive conversations with your child
- Reassuring them that they are loved and supported
- Reducing stress where possible
- Following any guidance provided by school staff or mental health professionals

## WORKING TOGETHER FOR STUDENT SUCCESS

Student safety is a shared responsibility — and families are the most important part of the team.

You play a vital role in helping us support your child. We encourage families to:

- Share concerns with the school early and often, even if you're not sure whether something is a problem
- Stay engaged in communication with school staff throughout the process
- Reinforce the school support plan at home to provide consistency for your child
- Celebrate your child's strengths while working together to address challenges

Together, we can create a safe, supportive school environment where every student can thrive.

## BRAM – part of a comprehensive approach to student safety



### Tier 3

- Active Shooter Response
- **Behavioral Risk Assessment & Management (BRAM)**
- Youth Suicide Intervention Protocol
- Crisis Response & Counseling
- Crisis Case Consultation and community-based referrals
- FBA/BIP & Wraparound, Counseling
- Conferencing Circles
- Return to school/Reentry

### Tier 2

- Drills & Exercises (i.e. Fire, Lockdown, etc.)
- Reporting Procedures (DASA)
- Crisis Prevention classroom guidance
- CICO, SAIG, Ind CICO & BSP
- Problem Solving Conversations, Problem Solving Circles & Restorative Conversations

### Tier 1

- Security Services & Local Law Enforcement Partnerships, Arrival & Dismissal Procedures and Evolv Security Screenings
- Emergency Response to Critical Situations Plan
- Crisis Preventative Services awareness & professional development
- School Climate PBIS & Mindfulness
- Restorative Practices Affective Statements, Community Circles & Academic Circles
- Wellness Teams
- SEL Curriculum

# BEHAVIOR CONCERNS & PROGRESSIVE CONSEQUENCES RESPONSES

Consequences are most effective with students when they deal directly with the problem, in a way that students they view as fair and impartial. School staff who interact with students are expected to use disciplinary action only when warranted and to place emphasis on the students' ability to grow in self-discipline.

## Determining Responses to Inappropriate Behavior

~~When choosing interventions and consequences for students' behavior, teachers, administrators, and staff must balance the District's goals of eliminating school disruptions and maximizing student instruction time. Prior to disciplining students, the following factors shall be considered:~~

School officials **must** consult this document when determining which disciplinary interventions and responses to enact. In determining how to best address behaviors that take away from a safe and welcoming school environment, it is necessary to evaluate the totality of the circumstances surrounding the behavior. The following facts must be considered prior to determining the appropriate assignment of interventions and disciplinary responses:

- Age, ~~health~~ maturity, and disability or special education status of the student
- The student's IEP, BIP (Behavioral Intervention Plan) and 504 Accommodation Plan, if applicable
- ~~Appropriateness of student's academic placement~~
- Student's prior conduct and behavioral history
  - What is the frequency and duration of the behavior?
  - Was there prior misconduct or is this their first behavioral issue?
  - What was the nature of prior misconduct?
- Interventions and responses applied in prior behavior violations
- Seriousness of the behavioral offense and the degree of harm caused
- Student's understanding of the impact of their behavior/attitude
- ~~Student's willingness to repair the harm caused by their behavior~~
- Impact of the incident overall on the school community
- Whether the student's inappropriate behavior threatened the safety of any student or staff member
- The likelihood that a lesser response would adequately address the inappropriate behavior
- The circumstances/context in which the conduct occurred
- ~~The number of persons involved in the behavior~~ · the student's response to intervention

**Progressive and differentiated responses to disciplinary problems are embedded within the Levels of Behavior Concerns and Responses. Interventions and responses must be consistently applied across all groups of students with fidelity and integrity. When assigning consequences, pay particular attention to indicators of overuse and disproportionality of suspension among various student groups.**

Every reasonable effort should be made to correct student misbehavior through interventions and other school-based resources and the ~~least severe~~ lowest level disciplinary response. Interventions are essential because inappropriate behavior or violations of the Standards for Conduct, Character, and Support may be symptomatic of more serious problems that students are experiencing. It is, therefore, important that school personnel be sensitive to issues that may influence the behavior of students and respond in a manner that is most supportive of their needs. Appropriate disciplinary responses should emphasize prevention and effective intervention, prevent disruption to students' education, and promote the development of a positive school culture.



Where appropriate, the discipline will be progressive. This means that a student's first violation of the standards will usually merit a consequence of a lesser degree than subsequent violations, considering all factors relevant to the seriousness of the current violation. However, in instances where a student's conduct is dangerous or threatens the safety of others, serious consequence may be warranted, even if it is the student's first offense.

If the conduct of a student with a disability results in a long-term suspension or a series of short-term suspensions, consequences shall be administered consistent with the separate requirements of these Standards of Conduct, Character, and Support for disciplining students with a disability or presumed to have a disability. (See p. 42)

## Levels of Behavior Concerns and Responses

**LEVEL 1** incorporates universal schoolwide and classroom practices that promote the development and practice of pro-social behaviors, self-discipline, habits of learning, and healthy wellbeing. Through observation and immediate responses, teachers aim to prevent minor discipline problems from becoming major disciplinary incidents.

**LEVEL 2** involves targeted interventions and accountability when a student's behavior violation warrants a more focused behavioral response beyond the immediate situation or incident in the classroom or other location.

**LEVELS 3 and 4** involve behavior violations that seriously jeopardize school and classroom safety and order. Students who are experiencing high-risk or pervasive behavioral, academic, and physical and mental health concerns are assigned more intensive, individualized interventions.

Multiple incidents or chronic violations of the same behavior will warrant more intensive interventions and a higher level of accountability. The interventions and disciplinary responses identified at each level serve as a menu of possible options and are not intended to be exhaustive. Teachers and administrators may select one or more responses at each level, based on the specific needs of the student and the context of the behavior. When appropriate, lower-level responses or consequences may be used. All efforts will focus on matching students with appropriate, supportive interventions. Interventions will be progress-monitored and adjusted as needed based on the student's response.

### Pre-Kindergarten through Grade 3

Prior to considering a suspension for students in grades Pre-Kindergarten - Grade 3, the principal must first implement supportive interventions in collaboration with the school's Student Support Team and the Division of Student Support Services, as needed.

If the principal determines that an in-school or out-of-school suspension is necessary— except in cases where immediate suspension is mandated by law-- evidence of supportive interventions must be documented to demonstrate that interventions were executed.

However, students in grades Pre-Kindergarten - 3 may only be subject to suspension if they engage in pervasive or aggressive behavior that results in serious injury or poses an immediate threat to the safety of others.

District personnel will systematically monitor suspension data and corrective measures will be taken to rectify any deviation from the Code of Conduct or Board Policy.

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

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

Understand why the exhibited behavior is unacceptable and the harm it has caused

Understand what they could have done differently in the same situation

Take responsibility for their actions

Be given the opportunity to learn pro-social strategies and skills to use in the future

Understand the progression of more stringent consequences if the behavior reoccurs

# LEVELS OF INTERVENTIONS AND RESPONSES

## LEVEL 1 BEHAVIOR

**Classroom Interventions and Responses** These interventions aim to interrupt unsuccessful behaviors and teach skills so students can learn and demonstrate safe and respectful behavior. Teachers are encouraged to try a variety of teaching and classroom management strategies. Responses are most effective when implemented in a graduated manner.

- Develop relationship with families
- Positive and specific feedback
- Re-teaching and rehearsal of skill or procedure
- Positive directives that state expectations
- Use teacher proximity
- Verbal prompt, redirection and/ or correction
- Student/Teacher conference
- Daily progress sheets on behavior
- Family conference
- Create a classroom check-in plan
- Increased opportunity to respond during instruction
- Reflection activity
- Establish buddy teacher system
- Contact parent via telephone, email, text etc.
- Calming Corner
- Use of Restorative questions

**Student Support Team Interventions and Responses** These interventions aim to engage the student's support system at school and at home to enhance success by working to change the conditions that contribute to student's unsuccessful and disruptive behaviors. They often involve support staff, both school-based and within the broader community.

- Reflection activity
- Check-In with school building staff
- Mentoring
- Peer Mediation
- Mediated conflict solution conference
- Short-term behavioral progress report
- Referral to school-based health or mental health providers
- Restorative Practices
- Parent/Guardian notification
- Referral to community organization
- Utilize support staff

## LEVEL 2 BEHAVIOR

**Classroom Interventions and Responses** These interventions may be appropriate when supports have been put in place in the classroom to address behavior, but the behavior has become persistent and has continued to negatively influence the learning of the student and others. Responses are most effective when implemented in a graduated manner.

- Positive directives that state expectations
- Positive and specific feedback
- Re-teaching and rehearsal of skill or procedure
- Use teacher proximity
- Use of Restorative questions
- Restorative conference
- Develop relationship with families
- Daily progress sheets on behavior
- Create a classroom check-in plan
- Collaborate with family
- Progress Monitoring
- Student/Teacher conference
- Reflection activity
- Buddy Teacher
- Increased opportunity to respond during instruction
- Peer Mediation
- Collaborative Family Conference
- Restorative Circles
- Conflict resolution
- Verbal prompt, redirection and/ or correction

**Administrative Level and Student Support Team Interventions and Responses** These interventions can involve support staff or administrative staff when needed and aim to correct behavior by addressing the seriousness of the behavior while keeping the student in school. Responses are most effective when implemented in a graduated manner.

- Parent/Guardian contact/conference
- Reflection activity
- Check-In Check-out (CICO)
- Referral to school-based health or mental health providers
- Restitution plan
- Referral to community organization
- Detention
- Social Academic Instructional Group (SAIG)
- Restorative Conference
- Conflict mediation
- Administrative and/or support team conference
- Mentoring/Coaching
- Referral to Problem-Solving Team/Request For Assistance
- Referral and coordination with community based supports
- FBA/BIP/BSP
- In-School Suspension
- Mentoring

## LEVEL 3 BEHAVIOR

**Classroom and Support Team Interventions and Responses** If a student is removed from the learning environment, teachers/SST should collaborate to keep the student connected during the removal and prepare to welcome the student into the classroom upon their return.

- Student/Teacher conference
- Restorative conference
- Develop relationship with families
- Daily progress sheets on behavior
- Restitution/Restoration strategies
- Progress monitoring
- Plan for classmates as student returns
- Create, implement and monitor a transition plan for student returning to the classroom, restorative circle
- Collaborate with academic coaches to build on student strengths
- Create a literacy based strategic plan
- Monitor all plans created and reevaluate every two weeks
- Initiate a student-centered discussion about the incident (and Repair, Restore and Re-teach expectations)
- Create a classroom check-in plan

**Intensive Administrative Level and Support Team Interventions and Responses** These interventions and responses may include removing the student from the classroom or school environment because of the seriousness of the demonstrated behavior. The duration of the removal from the learning environment is to be limited as much as possible while still adequately addressing the seriousness of the behavior. Responses are most affective when implemented in a graduated manner.

- Mediated conflict resolution conference
- Referral to school-based health or mental health providers
- Restitution plan
- Refer to Problem Solving Team for Behavior Support Plan (BSP)
- Individualized case management for students with 504 plans or IEPs
- Referral and coordination with community based supports
- In-School Suspension
- Informal conference with principal and student
- Family/Guardian/Student/School Team conference
- Referral to student support team for behavior evaluation
- Mentoring/Coaching
- Up to 5 day Out-Of-School suspension
- Develop Functional Behavioral Assessment and Behavior Intervention Plan (BIP)
- Administrative and/or support team conference

## LEVEL 4 BEHAVIOR

**Classroom and Support Team Interventions and Responses** If a student is removed from the learning environment, teachers/SST should collaborate to keep the student connected during the removal and prepare to welcome the student into the classroom upon their return.

- Initiate a student-centered discussion about the incident (and Repair, Restore and Re-teach expectations.)
- Create, implement and monitor a transition plan for student returning to the classroom, restorative circle
- Plan for classmates as student returns
- All strategies noted above, as applicable

**Intensive Administrative Level and Support Team Interventions and Responses** These interventions and responses may include removing the student from the classroom or school environment because of the seriousness of the demonstrated behavior. The duration of the removal from the learning environment is to be limited as much as possible while still adequately addressing the seriousness of the behavior. Responses are most effective when implemented in a graduated manner.

- Mediated conflict resolution conference
- Family/Guardian notification of due process rights and informal conference with principal and student
- Develop Functional Behavioral Assessment and Behavior Intervention Plan or Behavior Support Plan
- Individualized case management for students with 504 plans or IEPs
- Up to 5 day Out-Of-School suspension with request for long-term suspension (6 or more days)
- Referral and coordination with community based supports
- Referral to school-based health or mental health providers
- Request for Behavioral Support
- Restitution plan

# LEVELS OF BEHAVIOR CONCERNS AND RESPONSES

## LEVEL 1

### *Classroom support and student support team*

May be appropriate when the behavior is a minor infraction, the student has had no prior incidents, and/or interventions have not been put in place.

## LEVEL 2

### *Intensive support staff and appropriate administration*

May be appropriate when supports have been put in place in the classroom to address behavior, but the behavior has become persistent and has continued to negatively influence the learning of the student and others.

## LEVEL 3

### *Short-term suspension*

May be appropriate given the seriousness of the offense and impact on the school community, and/or when documented interventions and supports have been put in place but the behavior is escalating.

## LEVEL 4

### *Request for long-term suspension*

Request for long-term suspension may be appropriate when behavior is illegal, presents an imminent threat of serious harm to the school community, or when the student's behavior seriously affects the safety of others in the school and/or educational process.

**Restorative responses** should be utilized for all levels of behavior. If a student is removed from the classroom or suspended out-of-school, a restorative process must take place upon return.

## BEHAVIOR CONCERNS AND LEVELS OF RESPONSE

See p. 19-20 for possible responses and interventions **\*PK-3: See Appendix D (Policy 7313) and Appendix E (Regulation 7311R)**

BEHAVIOR CONCERN	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	MAY BE REFERRED TO POLICE or AGENCY	Additional Guidance
<b>#1. Absences</b>						
Unexcused absence from school	●					BPS Policy #7110 provides information on student attendance expectations. See p. 5, "Attendance."
Persistent or excessive absence from school	●	●				
Habitual truancy (i.e., unlawfully absent from school for a number of days in excess of 20 percent of any marking period, quarter, or year)	●	●				
<b>#2. Academic Dishonesty</b>						
Plagiarism, cheating, inappropriate use of artificial intelligence, or altering records	●	●				Student may receive a failing grade for assignment.
<b>#3. Arson</b>						
Deliberately starting a fire			●	●	●	NYS Uniform Fire Prevention and Building Code 401.3 requires building principals to contact the fire department for any and all unwanted fires. Principals must complete an Incident Report Form.
Destruction of property as a result of starting a fire				●	●	
<b>#4. Attack on Student (including hitting, kicking, or punching another student with or without warning or immediate physical provocation)</b>						
No injury (no visual, physical injuries; includes incidents of domestic violence or relationship disputes)		●	●			
<b>*Bodily injury for PreK to grade 4</b>		●	●	●		To reach a Level 4, documentation confirming outside medical attention is required.
Bodily injury for grades 5 to 12			●	●		Serious bodily injury is defined as, "bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
Attack on student with serious bodily injury				●	●	

# LEVELS OF BEHAVIOR CONCERNS AND RESPONSES

## LEVEL 1

### **Classroom support and student support team**

May be appropriate when the behavior is a minor infraction, the student has had no prior incidents, and/or interventions have not been put in place.

## LEVEL 2

### **Intensive support staff and appropriate administration**

May be appropriate when supports have been put in place in the classroom to address behavior, but the behavior has become persistent and has continued to negatively influence the learning of the student and others.

## LEVEL 3

### **Short-term suspension**

May be appropriate given the seriousness of the offense and impact on the school community, and/or when documented interventions and supports have been put in place but the behavior is escalating.

## LEVEL 4

### **Request long-term suspension**

Request for long-term suspension may be appropriate when behavior is illegal, presents an imminent threat of serious harm to the school community, or when the student's behavior seriously affects the safety of others in the school and/or educational process.

**Restorative responses** should be utilized for all levels of behavior. If a student is removed from the classroom or suspended out-of-school, a restorative process must take place upon return.

## BEHAVIOR CONCERNS AND LEVELS OF RESPONSE

See p. 19-20 for possible responses and interventions **\*PK-3: See Appendix D (Policy 7313) and Appendix E (Regulation 731IR)**

Inappropriate or Disruptive Behavior	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	MAY BE REFERRED TO POLICE or AGENCY	Additional Guidance
<b>#5. Bomb Threat/Swatting</b>						
Bomb Threat <b>*Pre-K through grade 4 begin at Level 2</b> Grades 5 through 12 begin at Level 4		•	•	•	•	Threat substantiated by law enforcement. Making threats or providing false information about the presence of explosive materials or devices, firearms or other weapons on school property without cause in writing, in person or by phone, text or other electronic means.
Swatting <b>Pre-K through grade 4 begin at Level 2</b> Grades 5 through 12 begin at Level 4				•	•	Threat substantiated by law enforcement. A malicious act that involves making fraudulent 911 calls to cause emergency response teams such as law enforcement SWAT teams to react forcefully to a non-existent public threat.
<b>#6. Bullying</b>						
Intentional conduct (including verbal, physical, or written conduct) or electronic communication that is threatening or intimidating and substantially disrupts the orderly operation of a school	•	•	•			DASA Investigation is required See glossary for definition of bullying.
Serious bullying (i.e., repeatedly over time engaging in intentional negative behaviors that adversely affect another student's ability to participate in or benefit from a school's education or extra-curricular programs)			•	•	•	
<b>#7. Bus Misconduct</b>						
Minor disruption on the bus (including eating, drinking, being too loud, standing)	•	•				
Major disruption (including fighting, throwing objects, distracting the bus driver, opening emergency exit)		•	•	•	•	

# LEVELS OF BEHAVIOR CONCERNS AND RESPONSES

## LEVEL 1

### Classroom support and student support team

May be appropriate when the behavior is a minor infraction, the student has had no prior incidents, and/or interventions have not been put in place.

## LEVEL 2

### Intensive support staff and appropriate administration

May be appropriate when supports have been put in place in the classroom to address behavior, but the behavior has become persistent and has continued to negatively influence the learning of the student and others.

## LEVEL 3

### Short-term suspension

May be appropriate given the seriousness of the offense and impact on the school community, and/or when documented interventions and supports have been put in place but the behavior is escalating.

## LEVEL 4

### Request long-term suspension

Request for long-term suspension may be appropriate when behavior is illegal, presents an imminent threat of serious harm to the school community, or when the student's behavior seriously affects the safety of others in the school and/or educational process.

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## BEHAVIOR CONCERNS AND LEVELS OF RESPONSE

See p. 19-20 for possible responses and interventions **\*PK-3: See Appendix D (Policy 7313) and Appendix E (Regulation 7311R)**

Inappropriate or Disruptive Behavior	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	MAY BE REFERRED TO POLICE or AGENCY	Additional Guidance
<b>#8. Class Cutting</b>						
Repeated, intentional failure to appear or attend a scheduled class	●	●				
<b>#9. Classroom Distraction</b>						
Not working independently, affecting others	●	●				
Throwing objects without physical injury to others	●	●				
Intentionally making distracting or disruptive moves/noises or talking/speaking loudly during instruction or other quiet times	●	●				
<b>#10. Damage to Personal or School Property (Including Graffiti)</b>						
Minor or accidental damage (less than \$50)	●	●				
Damage to school or person's property (\$50-\$500)		●	●		●	Restitution is permitted in lieu of suspension; restitution may be in the form of monetary restitution.
Damage to any property (over \$500)			●	●	●	
<b>#11. Dress Code</b>						
Refer to dress code standards on page 32	●	●				
<b>#12. Extortion/Coercion - Taking money or property from another by force</b>						
<b>*Pre-K through grade 4</b>		●	●			
Grades 5 through 12			●	●	●	
<b>#13. False Activation of Fire Alarm</b>						
<b>*PreK through grade 4</b>		●	●	●	●	If the fire alarm is activated, the fire department must be notified and they have jurisdiction until event/source is investigated.
Grades 5 through 12			●	●	●	

# LEVELS OF BEHAVIOR CONCERNS AND RESPONSES

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## BEHAVIOR CONCERNS AND LEVELS OF RESPONSE

See p. 19-20 for possible responses and interventions **\*PK-3: See Appendix D (Policy 7313) and Appendix E (Regulation 7311R)**

Inappropriate or Disruptive Behavior	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	MAY BE REFERRED TO POLICE or AGENCY	Additional Guidance
<b>#14. Fighting</b>						
Physical aggression with another student (i.e. shoving or pushing)	●	●				Visiting the school nurse is not considered "requiring medical attention".
Minor fighting - physical altercation that does not require medical attention (other than the school nurse)	●	●	●			
Major Fighting - physical altercation involving 2 or more students resulting in injury, or requiring medical attention, or causing a substantial disruption to the educational setting			●	●	●	Incidents may prevent large numbers of students from moving through the hallways, disrupt the educational process for large numbers of students across the school, or pose a serious threat to the safety of large numbers of students, such as a threat of substantial bodily harm to students which may lead to emergency procedures, such as shelter in place.
Fighting with serious bodily injury				●	●	
<b>#15. Gambling</b>						
Requires the use of money or exchangeable goods	●	●				
<b>#16. Hallway Misbehavior</b>						
Running, making excessive noise, loitering or persistent hall-walking	●	●				

# LEVELS OF BEHAVIOR CONCERNS AND RESPONSES

LEVEL 1 <i>Classroom support and student support team</i>	LEVEL 2 <i>Intensive support staff and appropriate administration</i>	LEVEL 3 <i>Short-term suspension</i>	LEVEL 4 <i>Request long-term suspension</i>
May be appropriate when the behavior is a minor infraction, the student has had no prior incidents, and/or interventions have not been put in place.	May be appropriate when supports have been put in place in the classroom to address behavior, but the behavior has become persistent and has continued to negatively influence the learning of the student and others.	May be appropriate given the seriousness of the offense and impact on the school community, and/or when documented interventions and supports have been put in place but the behavior is escalating.	Request for long-term suspension may be appropriate when behavior is illegal, presents an imminent threat of serious harm to the school community, or when the student's behavior seriously affects the safety of others in the school and/or educational process.

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## BEHAVIOR CONCERNS AND LEVELS OF RESPONSE

See p. 19-20 for possible responses and interventions \*PK-3: See Appendix D (Policy 7313) and Appendix E (Regulation 731IR)

Inappropriate or Disruptive Behavior	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	MAY BE REFERRED TO POLICE or AGENCY	Additional Guidance
<b>#17. Harassment Based on Race, Ethnicity, Gender/Gender Identity/Gender Expression, Sexual Orientation, Disability or Religion, including Cyber-Harassment, Against Members of the School Community</b>						
Harassment	●	●				DASA investigation may be warranted.
Serious harassment (i.e., persistent or long-term)		●	●	●	●	
<b>#18. Hate Crime</b>						
A criminal offense against a person or property motivated in part or in whole by an offender's bias against a race, religion, disability, ethnic origin or sexual orientation, including hate speech					●	If the principal has evidence that a behavior appears to be a Hate Crime, the police should be contacted. Use #17 (see above) to assign the appropriate response.
<b>#19. Inciting or Participating in Disturbance</b>						
Causing large disruption to school environment and activation of emergency procedures	●	●	●	●	●	A large disruption prompts the principal to initiate emergency procedures and causes a serious safety threat impacting large numbers of students.
Using electronic device to start disruption (see # 22)		●	●	●	●	<p><i>Non Example:</i> A fight between two students in the cafeteria with several bystanders that does not impact student safety.</p> <p>A fight between two students in a classroom that remains contained and does not pose a broader safety risk.</p> <p><i>Example:</i> A significant fight involving multiple students in areas such as the cafeteria, hallways during transitions, or at dismissal that restricts movement for large numbers of students and staff and requires lockdown procedures and possible police intervention.</p>
<b>#20. Leaving Classroom or School without Permission</b>						
Leaving classroom without permission	●	●				
Leaving school without permission		●			●	Guardian must be immediately notified. Students cannot legally be suspended for leaving school without permission. See NYS School Law 40 <sup>th</sup> Edition, 54:25

# LEVELS OF BEHAVIOR CONCERNS AND RESPONSES

## LEVEL 1

### **Classroom support and student support team**

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## LEVEL 2

### **Intensive support staff and appropriate administration**

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## LEVEL 3

### **Short-term suspension**

May be appropriate given the seriousness of the offense and impact on the school community, and/or when documented interventions and supports have been put in place but the behavior is escalating.

## LEVEL 4

### **Request long-term suspension**

Request for long-term suspension may be appropriate when behavior is illegal, presents an imminent threat of serious harm to the school community, or when the student's behavior seriously affects the safety of others in the school and/or educational process.

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## BEHAVIOR CONCERNS AND LEVELS OF RESPONSE

See p. 19-20 for possible responses and interventions **\*PK-3: See Appendix D (Policy 7313) and Appendix E (Regulation 7311R)**

Inappropriate or Disruptive Behavior	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	MAY BE REFERRED TO POLICE or AGENCY	Additional Guidance
<b>#21. Physical Contact with School Personnel/Non-BPS Adult</b>						
Unintentional incidental physical contact	●	●				Non-BPS Adult includes school visitors, community partners, and before- or after-school providers.
Unintentional physical contact, including striking, throwing items, or causing physical injury during a fight or other disruptive activity			●	●	●	
Intentional physical attack			●	●	●	
<b>#22. Personal Internet-Enabled Devices</b>						
<b>Students cannot be suspended for solely using/possessing a personal internet-enabled device (N.Y. Education Law § 2803)</b>						
Use of personal internet-enabled devices at unauthorized times Pre-K through grade 6	●	●				Infraction/Response 1 <sup>st</sup> - Verbal warning 2 <sup>nd</sup> - Device confiscated. Parent notification. Return to student at end of school day. 3 <sup>rd</sup> - Device confiscated. Parent notification. Return to parent by end of school day.
Use of personal internet-enabled devices at unauthorized times Grades 7 through 12	●	●				Infraction/Response 1 <sup>st</sup> - Device confiscated. Parent notification. Return to student at end of school day. 2 <sup>nd</sup> - Device confiscated. Parent notification. Return to parent by end of school day. 3 <sup>rd</sup> - Device confiscated. Parent notification. Additional school consequences. Returned to parent by end of school day.  Schools are encouraged to provide daily reminders/warnings during AM and PM announcements and throughout the school day.
Internet-enabled device used to threaten others, or to record or publish a fight		●	●			
Use of internet-enabled device leading to or directly causing personal harm			●	●	●	DASA investigation may be warranted.

# LEVELS OF BEHAVIOR CONCERNS AND RESPONSES

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## BEHAVIOR CONCERNS AND LEVELS OF RESPONSE

See p. 19-20 for possible responses and interventions \***PK-3: See Appendix D (Policy 7313) and Appendix E (Regulation 7311R)**

Inappropriate or Disruptive Behavior	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	MAY BE REFERRED TO POLICE or AGENCY	NOTES
<b>#23. School Safety and Physical Security</b>						
Failure to follow directions, school policies or rules	●	●				Propping or opening of door that leads to unauthorized entry to a school building of objects or individuals.
Failure to respond to school staff directives that directly leads to harm of others	●	●	●			
Opening door for unauthorized person or item		●	●			
Opening door- leading to emergency procedures			●	●		
Trespassing			●	●	●	Being on school property without permission, including while suspended or expelled; includes breaking and entering or unapproved visits to schools other than the student's home school.
<b>#24. Serious Bodily Injury</b>						
Causing substantial risk of death or causing permanent serious disfigurement, loss of function of any part of the body or impairment of the function of any part of the body				●	●	
<b>#25. Sexual Offenses</b>						
Sexual harassment		●	●	●	●	Unwelcome sexual advances, requests for sexual favors: other inappropriate verbal, written or physical conduct of sexual nature
Sexual misconduct	●	●	●	●	●	Indecent exposure, engaging in sexual activity
Sexual Assault				●	●	Physical sexual act by force or threat of force • School staff is required to immediately report allegations of sexual assault to police

# LEVELS OF BEHAVIOR CONCERNS AND RESPONSES

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Inappropriate or Disruptive Behavior	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	MAY BE REFERRED TO POLICE or AGENCY	Additional Guidance
<b>#26. Substances- Prohibited or Illegal</b>						
Tobacco use or possession	●	●			●	Refer to Kids Escaping Drugs
Under the influence		●	●		●	School nurse must be immediately notified, if a student is believed to be under the influence.
Using or possessing		●	●	●	●	
Distributing or selling				●	●	School staff is required to refer student to appropriate substance abuse counseling, such as Kids Escaping Drugs.  Prescription medication must be brought to school nurse.
<b>#27. Tardiness</b>						
Excessive tardiness to class or school	●	●				
<b>#28. Technology Acceptable Use Policy Violation</b>						
Violation of BPS technology acceptable use policy	●	●	●	●	●	Refer to the district website at <a href="http://www.buffaloschools.org">www.buffaloschools.org</a> for details.  Possession and/or transmission of child pornography is subject to prosecution and must be reported to the police.
<b>#29. Theft</b>						
Under \$500		●	●			Restitution is permitted in lieu of suspension; restitution may be in the form of monetary restitution or the student's assignment to a school work project.
Over \$500			●	●	●	

# LEVELS OF BEHAVIOR CONCERNS AND RESPONSES

LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
<p><b>Classroom support and student support team</b></p> <p>May be appropriate when the behavior is a minor infraction, the student has had no prior incidents, and/or interventions have not been put in place.</p>	<p><b>Intensive support staff and appropriate administration</b></p> <p>May be appropriate when supports have been put in place in the classroom to address behavior, but the behavior has become persistent and has continued to negatively influence the learning of the student and others.</p>	<p><b>Short-term suspension</b></p> <p>May be appropriate given the seriousness of the offense and impact on the school community, and/or when documented interventions and supports have been put in place but the behavior is escalating.</p>	<p><b>Request long-term suspension</b></p> <p>Request for long-term suspension may be appropriate when behavior is illegal, presents an imminent threat of serious harm to the school community, or when the student's behavior seriously affects the safety of others in the school and/or educational process.</p>

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Inappropriate or Disruptive Behavior	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	MAY BE REFERRED TO POLICE or AGENCY	Additional Guidance
<b>#30. Threat Against School Personnel, Written or Verbal</b>						
*PreK through grade 4	●	●	●	●	●	Age/developmental level of student should be considered.
Grades 5 through 12			●	●	●	
<b>#31. Threat of School Violence</b>						
*PreK through grade 4		●	●	●	●	Any verbal, written, or physical threat to endanger the health, safety, or lives of individuals in the school community (other than a bomb threat). Age/developmental level of student should be considered. A bomb threat or swatting incident should be considered separately. See #5
Grades 5 through 12			●	●	●	
<b>#32. Verbal Conflict Against School Personnel</b>						
Using profane language	●	●				Name calling, insults, making inappropriate gestures, symbols, or comments
Confrontational and aggressive arguing	●	●				
Confrontational and aggressive arguing - persistent			●			Persistent arguing that impacts the school environment after interventions are put in place  Documented Intervention
Knowingly providing false or misleading information to or about school staff that could result in harm to an individual or subject an individual to legal consequences.	●	●	●	●	●	

# LEVELS OF BEHAVIOR CONCERNS AND RESPONSES

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Inappropriate or Disruptive Behavior	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	MAY BE REFERRED TO POLICE or AGENCY	Additional Guidance
<b>#33. Weapons, Firearms, Explosives</b>						
Explosives - possession, sale, distribution, detonation, or threat of detonation of an incendiary or explosive material or device			●	●	●	Includes ammunition, firecrackers, smoke bombs, flares, or any combustible or explosive substances or combination of substance or articles, other than a firearm
Instruments/objects used as weapons			●	●	●	Intent to cause injury with instrument/object
Possession of weapons (knife, pepper spray, etc.)			●	●	●	If a weapon is intended for self-harm, the student must be referred for a lethality assessment.  Possession of weapon with intent to commit harm to others or disrupt the school environment, Student must be referred for a behavior risk assessment.
Possession of other guns				●	●	Possession of any gun of any kind, loaded or unloaded, operable or inoperable including any object that is a replica or look-alike of a gun. i.e. BB guns and pellet guns, etc.
Possession of firearm (As defined in 18 USC 921 of the federal code; e.g., handguns, rifles, shotguns, and bomb)				●	●	Expulsion for no less than one calendar year is mandated by state law for firearms violation, but can be modified on a case-by-case basis by the Superintendent of Schools.

School officials are responsible for sharing the information in the Standards for Conduct, Character, and Support with students, parents and caregivers, and staff. In the event a student engages in inappropriate behavior, the principal or principal's designee must report the behavior to the student's parent or caregiver. When a student is believed to have committed a crime, the police must be summoned, and the parent or caregiver must be contacted. See *Chancellor's Regulation A-412*.

## STANDARDS FOR DRESS CODE

All persons are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other District personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting, by also adhering to these standards.

When on school property or at a school function, a person's dress, grooming and appearance must:

1. Be safe, appropriate to a professional learning environment, and not disrupt or interfere with the educational process.
2. Not include clothing (including all pants, skirts, shorts, and tops) that is see-through, excessively tight, or excessively short.
3. Cover all undergarments with appropriate outer garments, including wearing of pants at waist level.
4. Include safe and appropriate footwear. Inappropriate footwear includes but is not limited to backless shoes (i.e., flip flops, bedroom slippers). Exceptions will only apply to documented medical conditions.
5. Only include headwear that is required by medical or religious reasons.
6. Not be lewd, vulgar, obscene, and libelous or denigrate others, or cause a disruption to the school that impedes the educational program.
7. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
8. Sweatshirts with hoods (or "hoodies") can be worn, but hoods must always remain down while inside buildings.
9. Not include jewelry that may be deemed a weapon. This includes, but is not limited to, a ring/piece of jewelry covering multiple fingers, spiked necklaces or belts, belts with large removable buckles, chain-like neckwear, or ninja-type star jewelry. Belts must be buckled.

Additional restrictions may be determined by the school with the approval of the Board of Education.

Students who violate the dress code will be required to modify their appearance by covering or removing the offending item, and if necessary and/or practical, replacing it with an acceptable item. Any student who refuses to do so may be subject to discipline in accordance with these Standards for Conduct, Character and Support.

Dress code violation should warrant either a Level 1 or Level 2 response; students should not be suspended or otherwise removed from their educational program because of a dress code violation.

Dress code violations will not lead to disparities in educational opportunities by gender.



## STANDARDS FOR PERSONAL INTERNET-ENABLED DEVICES

(New York State Distraction-Free School Zones)

Student use of personal, internet-enabled devices and the associated Bluetooth enabled accessories (headphones/earbuds etc.), are prohibited during the entire school day (bell to bell), including all instructional and non-instructional times (e.g., homeroom, lunch, recess, study halls, hallway transitions).

A Personal, internet-enabled device refers to a privately owned device that is used for audio, video, text communication or any other type of computer-like instrument. Personal, internet-enabled devices may include but are not limited to:

- Smartphones, tablets, smart watches, laptops, gaming consoles, Fitbits, Smart glasses, VR headsets, MP3 players, iPods, and iPads, etc.

### On-Site Storage of Internet-Enabled Devices Including Cell Phones

Students must store their internet-enabled devices in designated on-site storage areas during the school day. On-site storage areas may include, but are not limited to, student lockers, designated storage bins in classrooms, or secure storage areas in the school's main office. The designated on-site storage areas must be easily accessible to students and provide adequate security to ensure the safekeeping of the student's devices. Building Principals will communicate the procedures for storing and retrieving devices, ensuring that students understand their responsibilities in using the on-site storage facilities provided.

Parents will always be notified if their child's phone is being confiscated.

*Violation of this portion of the standards for personal internet-enabled devices warrants either a Level 1 or Level 2 response; students will not be subject to an out of school suspension for solely using a personal internet-enabled device in violation of the standards.*

### Exceptions to the Policy

Students are generally prohibited from using Internet-enabled devices during the school day anywhere on school grounds. However, students may be authorized to use an Internet-enabled device during the school day on school ground as follows:

- Teachers may authorize use of an internet-enabled device provided its instructional use is specifically outlined in a lesson plan that has been approved by a building administrator.
- Where necessary for the management of a student's health care;
- In the event of an emergency;
- For translation services;
- On a case-by-case basis, upon review and determination by a school psychologist, school social worker, or school counselor for a student caregiver who is routinely responsible for the care and well-being of a family member; or
- Where required by law.

Students must be permitted to use an Internet-enabled device where the use is documented on an:

- Individualized Education Program (IEP); or
- Section 504 Plan.

## Methods of Communication for Parents to Contact their Child During the School Day

To accommodate necessary communication, parents or persons in parental relation may use the following methods to contact their student during school hours while adhering to this policy:

- **School Office or Alternate Location Phone:** Parents or persons in parental relation may call the school's main office and follow the building principal's procedures for getting a message to a student.
  - **School Messaging Application:** Schools may use a secure messaging application or platform ordinarily used in the District.
- Parents and persons in parental relation will be notified in writing of the methods that are available for contacting their student during school hours, upon enrollment and at the beginning of each school year.

Personal Internet-Enabled Devices shall not be used in any way that threatens, humiliates, harasses, or intimidates students, school personnel or visitors or otherwise violates district policies and regulations or local, state, or federal laws. Students are prohibited from using the camera video or recording function of their personal internet-enabled devices on school premises or at school-sponsored activities where another student or individual has an expectation of privacy, including but not limited to locker rooms, counseling sessions, restrooms, dressing areas, etc. Further, any student transferring, sharing, viewing, or possessing pictures, text messages, emails, or other material of a sexually explicit nature on their personal internet-enabled devices while on school premises, at school-sponsored activities or on school transportation will be subject to the disciplinary procedures of the school district and reported to law enforcement and/or other appropriate state and federal agencies. Violations such as this may result in arrest, criminal prosecution and lifetime inclusion on sexual offender registries.

- Students, parents, guardians or caregivers are on notice that the District assumes no liability for the damage, destruction, theft, or loss of personal internet-enabled devices on school property. When making the decision to bring such devices to school, the student and parent, guardian or caregiver jointly and separately assume the risk of potential damage, destruction, theft, or loss.
- In addition to the potential disciplinary action, a student who violates this policy may have their personal electronic device confiscated.

Any violation of the Standards for Personal Internet-Enabled Devices is subject to disciplinary action as set forth in the District Standards for Conduct, Character, and Support.

If applicable, violations of the Standards for Personal Internet-Enabled Devices may be referred to law enforcement. Additionally, a student may be prohibited from possessing a personal internet-enabled device on school premises, at school-sponsored activities, or on school transportation.

## REPORTING STUDENT VIOLATIONS

**All District staff who are authorized to impose disciplinary consequences are expected to do so in a prompt, fair and lawful manner. District staff that are not authorized to impose disciplinary consequences are expected to promptly report violations of the Standards for Conduct, Character, and Support to their supervisor, who shall in turn impose an appropriate disciplinary consequence, if so authorized and if appropriate, or refer the matter to a staff member who is authorized to impose an appropriate consequence, if appropriate.**

All students are expected to promptly report violations of the Standards for Conduct, Character, and Support to a teacher, school counselor, the building principal or their designee. Any student observing a student possessing a weapon, alcohol, or an illegal substance on school property or at a school function **must report** this information immediately to a teacher, the building principal, the principal's designee or the Superintendent.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved, and the appropriate disciplinary consequence which may include permanent suspension and referral for prosecution.

The building principal or their designee should only notify law enforcement when there is a violation of the Standards for Conduct, Character, and Support that requires referral to the police.

The building principal or their designee must notify appropriate law enforcement of those violations which constitute or may constitute a crime, and which, in their judgment, substantially affects the order or security of a school, its students and/or its staff, as soon as practicable. The notification may be made by telephone or direct report and may be followed by a letter. The notification must identify the student and explain the conduct which violated the Standards for Conduct, Character, and Support and which constitutes or may constitute a crime.

## UNDERSTANDING TYPES OF DISCIPLINE

Students who are found to have violated the District's Standards for Conduct, Character, and Support may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. **Oral warning or admonition** – any member of District staff
2. **Written warning** – bus drivers, hall and lunch monitors, teacher aides, coaches, guidance counselors, teacher, assistant principal, principal, Superintendent
3. **Written notification to parent** – bus driver, hall and lunch monitors, teacher aides, coaches, guidance counselors, teachers, assistant principal, principal, Superintendent
4. **Detention** – teachers, assistant principal, principal, Superintendent
5. **Suspension from transportation** – assistant superintendent of service center operation, assistant principal, principal, Superintendent
6. **Suspension from athletic participation** – coaches, assistant principal, principal, Superintendent
7. **Suspension from social or extracurricular activities** – activity sponsor, assistant principal, principal, Superintendent
8. **Suspension of other privileges** – principal or their designee, Superintendent
9. **In-school suspension** – principal or their designee, Superintendent
10. **Removal from classroom** – teachers, principal or their designee, Superintendent
11. **Short-term (five days or less) suspension from school** – principal, Superintendent, Board of Education
12. **Long-term (more than five days) suspension from school** – Superintendent, Board of Education
13. **Permanent suspension from school** – Superintendent, Board of Education

## UNDERSTANDING TYPES OF DISCIPLINE

### STUDENT EXCLUSION PROCEDURES BY STAKEHOLDER

	All Staff	Bus Drivers	Monitors/ Aides	Coaches/ Activity Sponsors	Teachers	Assistant Principals	Principals	Superintendent	Board of Education
<b>Oral Warning/ Admonition</b>	X	X	X	X	X	X	X	X	
<b>Written Warning</b>		X	X	X	X	X	X	X	
<b>Written Notification to Parent/Caregiver</b>		X	X	X	X	X	X	X	
<b>Detention</b>					X	X	X	X	
<b>Suspension from transportation</b>						X	X	X	
<b>Suspension from Athletic Participation</b>				X		X	X	X	
<b>Suspension from Social/ Extracurricular Activity</b>				X		X	X	X	
<b>Suspension of Other Privileges</b>						X	X	X	
<b>In-school Suspension</b>						X	X	X	
<b>Removal from Class</b>					X	X	X	X	
<b>Short-term Suspension</b>							X	X	X
<b>Long-term Suspension</b>							X	X	X

## UNDERSTANDING STUDENT DISCIPLINE

### STUDENT EXCLUSION PROCESS

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases the school personnel, authorized to impose the penalty, must inform the student of the alleged misconduct and must reach a determination concerning the facts surrounding the alleged misconduct. All students will be afforded an opportunity, if requested, to present their version of the facts to the school personnel imposing the disciplinary 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. These additional rights are explained below.

	Parent Notification	Parent Consent & Notification in Writing	Informal Conference (Upon parent request)	Appeal to Superintendent's Office	NYS Education Law §3214	Appeal to Board of Education
<b>Detention</b>	X	X				
<b>Suspension from Transportation</b>	X	X	X			
<b>Suspension from Athletic Participation</b>	X	X	X			
<b>In-school Suspension</b>	X	X	X			
<b>Teacher Removal</b>	X	X	X			
<b>Short-term Suspension</b>	X	X	X			
<b>Long-term Suspension</b>	X	X	X	X	X	X
<b>Permanent Suspension</b>	X	X	X	X	X	X

## UNDERSTANDING TYPES OF DISCIPLINE

**1. Detention.** A District may use detention as a penalty for student misconduct in situations where suspension would be inappropriate. Detention must be served within one school day from the date of issuance. Exceptions can be made for illness or extenuating circumstances as reported to the appropriate person by the student and/or parent. Detention takes precedence over extra-curricular activities and athletic practices. Teachers and administrators may keep a student for after school detention only after the student's parent has been notified to confirm there is no parental objection and that the student has appropriate transportation home following the detention. Students who fail to attend detention may be kept from participating in school activities such as field trips (*Matter of Kubinski*, 26 Ed Dept Rep 348 (1987)). Failure to attend detention may result in the imposition of an in-school suspension (*Appeal of G.H.L.*, 46 Ed Dept Rep 571 (2007)).

**2. Suspension from transportation.** If a student does not conduct themselves properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students may have their riding privileges suspended by the assistant superintendent of service center operations, assistant principal, building principal or the Superintendent or their designees. In such cases, the student's parent will become responsible for providing transportation for child to and from school safely.

- If suspension from transportation will result in the student not being able to attend school, the school must make appropriate arrangements to provide for the student's education. (*Matter of Stewart*, 21 Ed Dept Rep 654 (1982))
- A student subjected to a suspension from transportation is not entitled to a hearing pursuant to Education Law §3214 (unless the suspension from transportation will amount to a suspension from attendance). However, the parents shall be given notification of such action as soon as possible, and the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved. Should the suspension from transportation amount to a suspension from attendance at school, the procedures of §3214 will be followed.

**3. Suspension from athletic participation, extra-curricular activities and other privileges.** A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a hearing pursuant to Education law §3214. However, the parents shall be given notification of such action, as soon as possible, and the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the suspension, to discuss the conduct and the penalty involved.

**4. In-school suspension.** The Board recognizes that schools must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the Superintendent to place students who would otherwise be suspended from school as the result of the Standards for Conduct, Character, and Support violation in an "in school suspension." A student subjected to an in-school suspension is not entitled to a hearing pursuant to Education Law §3214. However, the parents shall be given notification of such action as soon as possible, and the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the in-school suspension, to discuss the conduct and the penalty involved.

### 5. Teacher Removal of Student from Classroom

If a student's disruptive or inappropriate behavior jeopardizes student safety in the classroom or seriously interrupts learning for a prolonged period of time after other interventions have been attempted, the teacher may remove a student from the classroom.

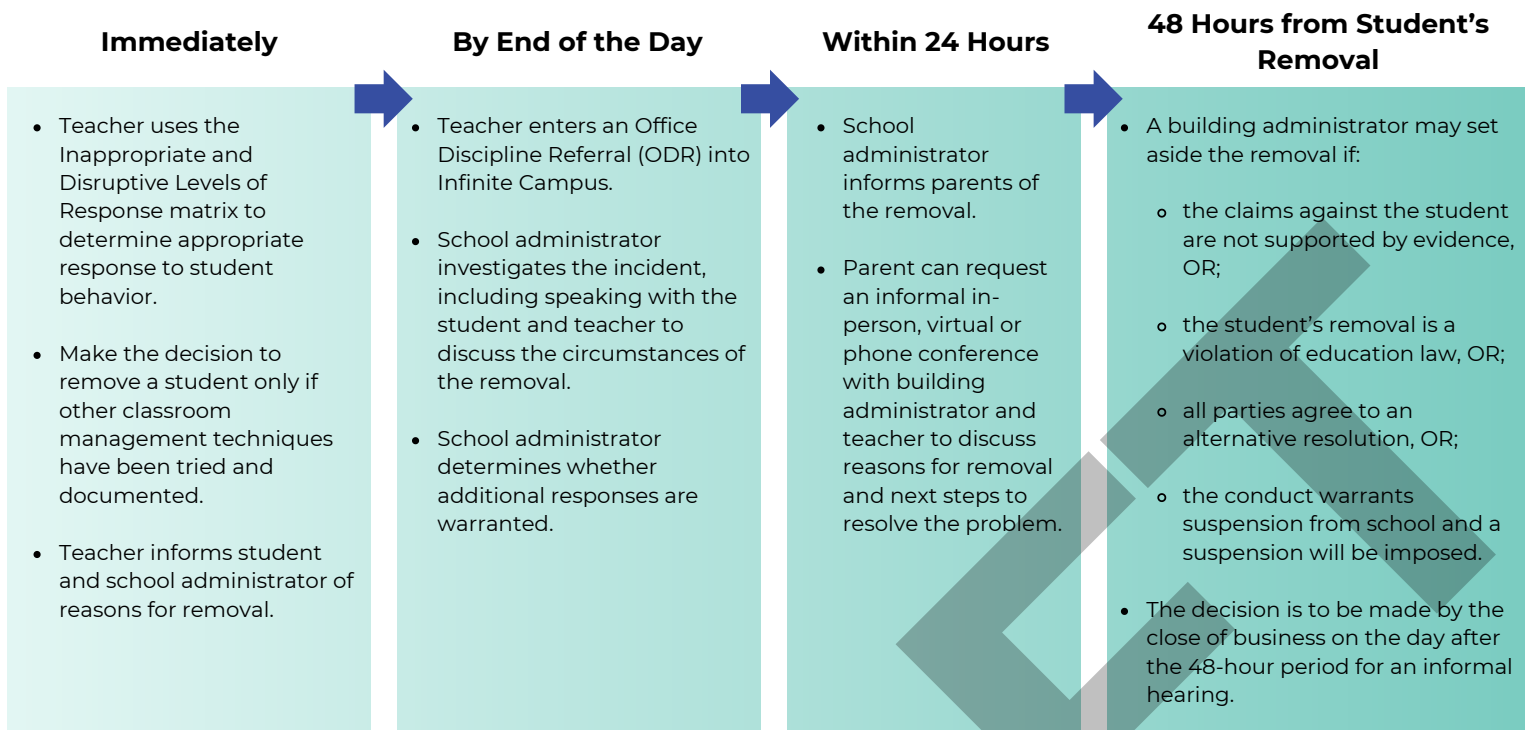
**6. Suspension from school.** Suspension from school is a significant penalty, which may be imposed upon students who violate the Standards for Conduct Character and Support and warrant a Level 3 or Level 4 response. This includes students who:

- are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others;
- engage in off-campus conduct (not at school or while not under the supervision of school authority or any employee or board member of the district), that adversely affects the educational process or endangers the health, safety or morals of students, staff or school property. Off campus conduct includes (but is not limited to) incidents that occur outside of school, before or after school hours (evenings, weekends, holidays, etc.) off-school property, at school events, etc.
- The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building principals. In the case of short-term suspensions and/or long-term suspensions, the school building principal retains ultimate discretion in imposing a Level 3 response (short term suspension of 1-5 days) or requesting a level 4 response (long term suspensions of 6 or more days).
- Any staff member may recommend to the Superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of the Standards for Conduct, Character and Support. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension, and in no event later than the end of the next school day.
- These procedures are also applicable where the student is suspended by an administrator from only one (or more) classes rather than from his or her entire educational program
- In some cases, long term suspensions imposed on a student due to a Standards for Conduct, Character and Support violation may receive a suspension that extends into the next school year.

#### ■ Short-term (5 days or less) suspension from school.

When the Superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less, pursuant to Education law §3214 (3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation for the basis or proposed suspension. The suspending authority must also notify the student's parents in writing within 24 hours that the student may be, (or has been), suspended from school

The written notice must be provided 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 at the last known address for the parents.



**Students continue to receive educational services during the period of removal.**  
**For more information, see New York School Law, 39th edition (2022), 52:48-52:51, Classroom Removal Procedures.**

Where 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 parents of the right to request an immediate informal conference with the principal or their designee. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of the complaining witnesses under such procedures as the principal may establish. Parents may also bring a representative or additional person of their choice to the conference, if it is within the specified time frame.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a serious and continuing danger to others that cannot otherwise be remedied (through the use of in-school suspension or other non-exclusionary tactics).

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. After the conference, the principal shall promptly advise the parents in writing of their decision.

The authority of the principal to suspend a student is limited to a maximum of five (5) days, and the return of the student at the end of the suspension may not be conditioned upon the parent(s) meeting with the principal.

## SHORT-TERM SUSPENSION TIMELINE

### INCIDENT IS INVESTIGATED

- Use the Interventions and Response Chart and Behavior Response Matrix to determine the appropriate response.

### NOTIFICATION TO PARENT Within 24 hours of proposed suspension

- By personal delivery or express mail.
- Include description of charges.
- Include opportunity for parent to request an informal conference with the principal or their designee.

### PRINCIPAL'S CONFERENCE

- Upon parent's or student's request.
- Opportunity to review evidence and question witnesses.
- Discussion of what penalties other than suspension were attempted and why they did not work.
- Principal or their designee must provide written notice of final decision.

### SUSPENSION BEGINS Immediately after conference

- If the decision after the conference is to suspend.
- If student's presence in the school posed an immediate danger, then suspension can begin before the conference.

### APPEAL TO NYS COMMISSIONER OF EDUCATION Within 30 days of suspension

- If parent does not agree with the decision, they can appeal to the Commissioner of Education
  - Details can be found at <https://www.counsel.nysed.gov/appeals>

**Appeals of Short-Term Suspension decisions should be made directly to the New York State Commissioner of Education. Any appeal must be filed within thirty (30) days of the suspension decision. Information regarding the process can be found as follows:**

<https://www.counsel.nysed.gov/appeals>

**Long-term (more than 5 days) suspension from school.** When the Superintendent or building principal or designee determines that a suspension of more than five days may be warranted, they shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel or representative, the right to question witnesses against him or her, and the right to present witnesses and other evidence on their behalf.

The Superintendent may personally hear and determine the proceeding or may, at their discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before them. A record of the hearing shall be maintained but no stenographic transcript shall be required. A recording shall be deemed a satisfactory record. Parents and students may request to listen to the recording of the hearing, at the school. The hearing officer shall make recommendations as to findings of fact and the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept, reject, or modify all or any part thereof.

## LONG-TERM SUSPENSION TIMELINE

### INCIDENT IS INVESTIGATED

- Use the [Interventions and Response Chart](#) and [Behavior Response Matrix](#) to determine the appropriate response.

### PARENT NOTIFICATION - Within 24 hours of proposed suspension

- By personal delivery or express mail.
- Include description of charges.
- Inform parent of opportunity to request an informal conference with the principal or their designee.

### PRINCIPAL'S CONFERENCE

- Parent have the opportunity to review evidence and question witnesses.
- Principal must provide written notice of final decision.
- Discussion of what penalties other than suspension were attempted and why they did not work.

### SUSPENSION BEGINS - Immediately after conference

- If the decision after the conference is to suspend.
- If student's presence in the school posed an immediate danger, then suspension can begin before the conference.

### LONG-TERM SUSPENSION HEARING Within 5 days of suspension

Parent/guardian, student have the right to:

- have an attorney
- bring witnesses and evidence
- question witnesses and evidence
- have a record of the hearing

### SUPERINTENDENT RECONSIDERATION REVIEW

- Parents have the option to request a reconsideration review by the Superintendent upon notice of final determination.
- The reconsideration review must be requested within ten (10) calendar days of the receipt of final disposition letter.

### APPEAL TO BOARD OF EDUCATION

- The BOE will review record and make final decision in writing.
- The BOE can overturn if they find there was no evidence supporting the suspension, that the behaviors did not warrant a suspension according to the matrix, that procedures were not followed.
- If parent does not agree with the decision of the BOE, they can appeal to the Commissioner of Education

## Long-Term Suspension Appeal Process

Upon receipt of a notice of final disposition from a long-term suspension hearing, parents have the option to request a reconsideration review by the Superintendent. The reconsideration review must be requested within ten (10) calendar days of the receipt of final disposition letter. All Superintendent's reconsideration review requests must be in writing and submitted to the District clerk via the established email portal that will be included in the final disposition letter, or mailed to the address below.

An appeal of the decision of the Superintendent may be made to the Board of Education, within thirty (30) calendar days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board will make its decision based solely upon the submitted written and evidentiary record before it and may adopt in whole or in part the decision of the Superintendent.

All appeals to the Board must be in writing and submitted to the District clerk via the established email portal that will be included in the final disposition letter or mailed as follows:

Buffalo City School District  
801 City Hall  
Buffalo, NY 14202  
Attn: District Clerk

Final decisions of the Board may be appealed to the Commissioner of Education within thirty (30) calendar days of the decision unless the parents can show that extraordinary circumstances precluded them from doing so. Information regarding the appeal process can be found as follows:

<https://www.counsel.nysed.gov/appeals>

- **Permanent suspension.** Circumstances such as conduct, which pose a life-threatening or other serious danger to the safety and well-being of other persons. The procedures used shall be the same as those for a long-term suspension.
- **Alternate Instruction.** When a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the District will take steps to provide continued educational programs and activities, alternative means of instruction, for the student. The alternative instruction may be provided by personnel in the school, or at an alternative school, by home instruction, or by a school suspension instruction program. The alternative instruction shall begin as soon as practicable, but in no event later than the third day of suspension. Mechanisms for the provision of such services at each school shall be developed by the District, and the principal shall be responsible for assuring that alternative instruction is provided to each eligible student.

When a student above compulsory attendance age is suspended from school, the District will consider providing alternative instruction on a case-by-case basis.

If there are concerns regarding alternate instruction, please contact the school building administration. If the concern is not resolved, contact the Alternate Instruction Office at [altinstructionhelp@buffaloschools.org](mailto:altinstructionhelp@buffaloschools.org) or by phone at (716) 816-4968.

## Minimum Period of Suspension

1. **Students who bring a weapon to school.** Any student, including students with disabilities pursuant to Federal and State Laws and Commissioner's Regulations Part 200 and 201, found guilty of bringing a weapon, including, but not limited to, a rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, spring gun, BB gun (Commissioner's Decision No. 14,733, No. 15,041); onto school property will be subject to suspension from school for at least one calendar year. Any student found guilty of bringing an imitation gun on to school properly may be subject to the same penalty. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- o Age, health, and disability or special education status of the student
- o Appropriateness of student's academic placement
- o Student's prior conduct and record of behavior
- o Student's understanding of the impact of their behavior/attitude
- o Student's willingness to repair the harm caused by their behavior
- o Seriousness of the behavior offense and the degree of harm caused
- o Impact of the incident on overall school community
- o Whether the student's violation threatened the safety of any student or staff member
- o The likelihood that a lesser intervention would adequately address the violation

The Superintendent may recommend that a threat assessment, special intervention, health examination, or mental health examination be completed by a certified District employee or designee in order to determine if a student suspended for bringing a weapon to school pursuant to the Standards for Conduct, Character and Support is eligible for a return to school from a long-term suspension prior to the original date of return and/or to determine and promote the educational interests of the student.

2. **Violent students who commit acts other than bringing a weapon to school.** Any student, other than a student with a disability, who is found to have committed an act which makes them a violent student as defined in these Standards, 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 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 exceeds the minimum five-day suspension, 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 suspending authority has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3. **Students who are repeatedly substantially disruptive of the educational process or who repeatedly substantially interfere with the teacher's authority over the classroom.** Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least five days. For purposes of the Standards for Conduct, Character and Support, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214 (3- a) and these Standards on four or more occasions during a semester. If the proposed penalty is the minimum five-day suspension, 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 exceeds the minimum five-day suspension, 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 suspending authority has the authority to modify the minimum five-day suspension on a case-by-case basis.

In deciding whether to modify the penalty, the suspending authority may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

### Referrals

1. **Counseling and Human Services Agencies.** BPS staff may be a resource to parents for referrals of students to counseling and human service agencies.

2. **PINS Petitions.** The District may in appropriate cases seek the assistance of the Family Court through a PINS petition when students exhibit a pattern of unexcused absences, in accordance with the District's Attendance Policy. In addition, any student who is found to have brought a weapon to school, any violent student or any student who commits criminal acts on school property will be referred to the proper law enforcement agency in accordance with the terms of these Standards.

3. **Juvenile Delinquent and Criminal Offenders.** The Superintendent is required to refer the following students to the County Attorney or District Attorney, as appropriate for a juvenile delinquency proceeding before the Family Court or proceedings before the appropriate criminal court:

- o Any student who is found to have brought a weapon to school, or
- o Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).
- o Any violent student.
- o Any student committing an offense against the District, the school or any personnel

### DUE PROCESS FOR STUDENTS WITH A DISABILITY

(Subject to change due to changes in the law.)

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 have certain procedural protections whenever school authorities intend to impose these removals upon them. The Board 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.

These Standards for Conduct, Character, and Support affords Students with Disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

These Standards for Conduct, Character, and Support affords Students with Disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

### **A. Authorized Suspension or Removal of Students With Disabilities**

1. For purposes of this section of the Standards for Conduct, Character, and Support, only the following definitions apply.

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

A "removal" means a removal for disciplinary reasons from the students' current educational placement other than:

- a suspension
- a change in placement to an Interim Alternative Educational Setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others
- a change in placement to an IAES for behavior involving weapons, illegal drugs, controlled substances or conduct that causes serious bodily injury

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 and the goals in their IEP, although in another setting. In the IAES, a student will continue to receive the services and modifications, described in the student's current Individualized Educational Program (IEP), including services and modification to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

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

- Students with disabilities can be suspended or placed in another setting, including IAES, for up to 10 days in the same manner as their non-disabled peers. The 10-day cap is either consecutive days or cumulative days if the removal constitutes a disciplinary change in placement.
- The Board, the Superintendent of Schools or a building principal may order the suspension of a student for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
- Superintendent may order the suspension of a student for up to 10 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 Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time nondisabled students would be subject to suspension for the same behavior.
- The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see Section B, below).
- The Superintendent may order the placement of a Student with a Disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, if the student carries or possesses a weapon to school or to a school function, the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or inflicts serious bodily injury to another individual. The Superintendent may order this change even if the student's behavior is a manifestation of the student's disability.

- "Weapon" means the same as "dangerous weapon" under 18 U. S. C. §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 pocketknife with a blade of less than 2 ½ inches in length.
- "Controlled substance" means a drug or other substance identified in certain provision of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
- "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed healthcare professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
- "Serious bodily injury" means causing a substantial risk of death or causing permanent or serious disfigurement, loss or function of any part of the body or impairment of the function of any part of the body.

3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational program poses a substantial likelihood of injury to the student or others. A court also may order such a student to be placed into an IAES.

### **B. Change of Placement Rule**

1. Disciplinary change in placement is a suspension or removal from a student's current education placement that is either:

- For more than 10 consecutive days; or
- For a period of 10 cumulative school days or more if the student is subjected to a series of suspensions or removals that constitute a pattern because they accumulate more than 10 school days in a school year and because such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspension 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 (based on a pattern of suspension or removal) and the behavior resulting in suspension is determined to be a manifestation of the student's disability. This decision must be made prior to imposing the suspension or removal.

However, the District 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 has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs, controlled substances or inflicts serious bodily injury.

### **C. Rules Regarding the Suspension or Removal of Students with Disabilities**

1. The District's Committee on Special Education shall:  
a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior and develop and/or review behavioral intervention plans whenever the District, if first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs, controlled substances or inflicts serious bodily injury.

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school, is subjected to a suspension or removal that does

not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation, to determine if modifications are necessary.

If the CSE committee believes that modifications are needed, the school District shall convene a meeting of the CSE to modify such plan, and its implementation, to the extent the committee deems necessary.

- Conduct a Manifestation Determination Review (MDR) prior to the decision to change a student with a disability's placement for discipline reasons.
  - The Manifestation Determination Review meeting considers the relationship between the student's disability and the behavior subject to disciplinary action. This decision is made prior to imposing a suspension that constitutes a disciplinary change in placement except for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk or harm to the student or others.

## 2. Students with Presumed Disabilities

- The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school District is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the District is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
- The school district is deemed to have knowledge that a student is presumed to have a disability if the parent expressed concern in writing to supervisory or administrative personnel that the child needs Special Education evaluation. If the teacher or other school district personnel expressed specific concerns about a pattern of behavior to the specific education coordinator or other appropriate supervisory personnel; or if the Superintendent, building principal, or other school official so determines.
- The Superintendent, building principal, or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
- A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the District had knowledge the student was a Student with a Disability, the District either:
  - conducted an individual evaluation and determined that the student is not a student with a disability, or
  - determined that an evaluation was not necessary and provided notice to the parent of such determination, in the manner required by applicable law and regulations.
- If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

f. However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes, shall remain in the educational placement determined by the District, which can include suspension.

- i. The District shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs, controlled substances or serious bodily injury because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
- ii. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
- iii. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days, that are deemed to not be a manifestation of the students' disability, shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into these Standards.
- iv. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled student, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
- v. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided with services as required by the Commissioner's regulations incorporated into these Standards.

## D. Expedited Due Process Hearings

- An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into these Standards, if:
  - The Superintendent requests that an impartial hearing officer order the placement of a student with a disability in an IAES on the grounds that school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
  - The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but limited to any decision to place the student in an IAES.
    - During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs, controlled substances, or serious bodily injury or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the District agree otherwise.
    - If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except upon consent of the parent or where the student is again placed in IAES.

- An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the District and the parents within five business days after the date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

#### **E. Referral to law enforcement and judicial authorities**

In accordance with the provisions of IDEA and its implementing regulations:

- The District may report a crime committed by a Student with a Disability to appropriate authorities, and such action will not constitute a change of the student's placement.
- The Superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

## **Prohibited Corporal Punishment**

Corporal punishment is any act or physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any District employee is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

- Protect oneself, another student, teacher, or any person from physical injury.
- Protect the property of the school or others that, left unprotected, would otherwise result in a major loss for the school district or other person; or threaten the safety of others.
- Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school District functions, powers, and duties, if that student has refused to refrain from further disruptive acts.

The District will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with the Commissioner's Regulations.

#### **Student Privacy**

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school personnel authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the District *Standards for Conduct, Character, and Support*. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school personnel.

In addition, the Board authorizes the Superintendent, building principals and District security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law, or the *Standards for Conduct, Character, and Support*. Other school personnel may conduct a search only in a situation where the circumstances do not allow the calling of the Superintendent, building principal, or security official.

Before searching a student's person or belongings, the authorized school official should, whenever practicable, inform the student of the reason for the search and ask the student if they possess physical evidence that they violated the law or the District *Standards for Conduct, Character, and Support*.

Searches will be limited to the actions necessary to locate the evidence sought. Whenever practicable, searches will be conducted in a private area and students will be present when their possessions are being searched. (School Law, Thirty-ninth Edition, 2022)

The rules in these *Standards* regarding searches of students and their belongings do not apply to student lockers, desks, and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

In all cases, security reports shall be completed regarding the circumstances and results of the search. Any items taken during the course of the search shall be turned over to security personnel or law enforcement authorities.

#### **Random Metal Detector Wand Screening**

Random metal-detector wand screenings are used to detect and deter the possession of weapons and prevent violence from occurring on school premises. Random screenings are screenings that are not conducted on a regularly scheduled basis and are not necessitated by particularized safety concerns or special events. The Superintendent or designee or other school officials may authorize metal-detector screenings on randomly chosen days during a specified period of the day, using trained personnel (and if available, Police Officers assigned to the school and/or "roving" units) to operate the metal detector wands or portable metal detectors available to their school.

#### **As Needed Screening**

The Superintendent or designee or other school officials may authorize metal-detector screenings on days chosen to address particular safety concerns (such as recent violence in the neighborhood) "as needed" or on days on which special events (such as athletic competitions or dignitary visits) are held, using trained school personnel (and if available, Police Officers assigned to the school and/or roving units) to operate the metal detectors available to their school (any combination of walk-through units and/or hand-held wands), or using a task force comprised of trained school personnel, Safety and Security personnel, and Buffalo Police Department Officers to operate the school's metal detectors, wands, or the portable metal detectors.

#### **Visitors to the School**

The Board of Education encourages parents, guardians, caregivers, and community stakeholders to visit the District's schools and classrooms to observe the work of students, teachers, and other staff. The building principal or his or her designee is responsible for all persons in the building and on the grounds. Since schools are a place of work and learning, the following expectations apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of a particular school will be considered a visitor (including contractors, guests, volunteers, central office staff and members of the Board of Education).
2. All school buildings have one entrance designated as the "main entrance" through which, all visitors must enter. Upon entering the school, all visitors must report to the Main Office. There they should be prepared to show government issued ID (driver's license, passport) and will be required to sign the visitor's register.

3. Visitors will be issued a visitor's badge/sticker which must be worn at all times while in the school or on school grounds. The visitor must return the visitor's badge/sticker and sign out at the main office/entrance before leaving the building.

4. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings, athletic competitions or public gatherings, are not required to wear a visitor's badge/sticker.

5. Parents, guardians, caregivers, or community stakeholders who wish to observe a classroom while school is in session are required to arrange such visits in advance with the principal (or designee) and/or classroom teacher(s), so that class disruption is kept to a minimum. Principals may use their discretion in handling visits or requests for visits.

6. Teachers are expected not to take time to discuss individual matters with visitors.

7. Any unauthorized person on school property will be reported to the principal or their designee and building security (if applicable). Unauthorized persons will be asked to leave. The police may be called if the situation warrants.

8. All visitors must abide by the expectations contained in the Standards for Conduct Character and Support, district policies regarding visitors as well as all NYS and local laws while on school property.

9. Anyone on school property or attending a school function is expected to conduct themselves in a respectful and orderly manner.

#### **Enforcement for Persons Other Than Students**

For all persons other than students, violation of this Code shall be subject to the following provisions.

- o **Penalties** - Persons who violate these Standards shall be subject to the following penalties:
  - **Visitors.** Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection, or to arrest and prosecution, at the discretion of the principal and the police. Where warranted, they may be excluded from school property and/or functions in the future.
  - **Tenured faculty members and administrators.** They shall be subject to disciplinary action, up to and including discharge, as the facts may warrant in accordance with Education Law §3020-a and any other legal and contractual rights that they may have.
  - **Staff members in the classified service of the Civil Service are entitled to the protection of Civil Service Law §75.** They shall be subject to disciplinary action, up to and including discharge, as the facts may warrant in accordance with Civil Service Law §75 and any other legal and contractual rights that they may have.
  - **District employees other than those described in subdivisions 2 and 3.** They shall be subject to warning, reprimand, suspension, dismissal, or other disciplinary action, as the facts may warrant in accordance with any legal and/or contractual rights they may have.

b. **Enforcement** - Each building principal or their designee shall be responsible for enforcing the conduct required by these Standards. When the building principal or their designee sees an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the principal or their designee shall tell the individual that the conduct is prohibited and ask the individual to stop such behavior. The principal or their designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if

the person's conduct poses an immediate threat or injury to persons or property, the principal or their designee shall have the individual removed immediately from school property or the school function. If necessary, BPS security and/or law enforcement authorities will be contacted to assist in dealing with the person.

Following such an incident, the building principal or their designee shall report the incident to BPS security and to local law enforcement, if they have not already been notified.

The District will consider violations of these Standards as a possible basis for disciplinary action against any staff member, as appropriate in accordance with the "Penalties" section above. In addition, the District reserves its rights to pursue a civil or criminal legal action against any person violating these Standards and/or the law at or in connection with school.

The building principal or their designee must notify the appropriate local law enforcement agency of the Standards violations which constitute or may constitute a crime and which, in their judgment, substantially affect the order or security of a school, its students and/or its staff, as soon as practicable. The notification may be made by telephone or direct report a may be followed by a letter. The notification must identify the student and explain the conduct which violated the Standards for Conduct Character and Support, and which constitutes or may constitute a crime.

#### **Training**

Staff training will be provided as needed to ensure that the disciplinary practices in each school are effective and that relevant policies and procedures are equitably applied.

Training may include such topics as child and adolescent development and psychology; age-appropriate responses; culture competence; restorative justice techniques; special accommodations for students with disabilities; practices proven to improve school climate, and the creation of safe spaces for lesbian, gay, bisexual, transgender, and questioning students.

#### **Dissemination and Review**

The Board of Education will review these Standards for Conduct Character and Support every year and update them as necessary. In conducting the review, the Board will consider how effectively the Standard's provisions have been applied fairly and consistently. The Board may appoint an advisory committee to assist in reviewing the Standards and the District's response to Standards for Conduct Character and Support violations. The committee will be made up of representatives of students, teachers, administrators, parents and community-based organizations, school safety personnel and other school personnel. Revisions to the Standards will be made only after at least one public hearing, which provides for the participation of school personnel, parents, students and any other interested party.

The District shall post the complete Standards for Conduct Character and Support (with all amendments and annual updates) on the district website, if available. The District shall file a copy of the Standards for Conduct Character and Support and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

**DRAFT**

# Appendices

# APPENDIX A

## Acknowledgement of the Standards for Conduct, Character, and Support

Pursuant to Education Law §280(4) and 8 NYCRR §100.21(1)(2)(iii)(b), the District will ensure that the community is aware of this Code of Conduct (Standards for Conduct, Character and Support) by:

1. Providing a public hearing prior to Board approval;
2. Providing copies of a summary of the Standards to all students, in an age-appropriate, plain language version, at a general school assembly held at the beginning of the school year;
3. Making copies of the Standards available to all parents at the beginning of the school year;
4. Providing a summary of the Standards for Conduct, Character and Support written in plain language to all parents of District students before the beginning of the school year and making this summary available later upon request;
5. Providing all current teachers and other staff members with a copy of the Standards and a copy of any amendments to the Standards as soon as practicable after adoption;
6. Providing all new employees with a copy of the current Standards for Conduct, Character and Support when they are first hired; and,
7. Making copies of the Standards available for review by students, parents, and other community members and providing opportunities to review and discuss these Standards with the appropriate personnel.

Note: The District will make every effort to provide written and audio versions of these Standards for Conduct, Character and Support in multiple languages.

Note: The District will provide written versions of these Standards for Conduct, Character and Support in the top ten languages spoken by students.

### ACKNOWLEDGEMENT OF RECEIPT STANDARDS FOR COMMUNITY-WIDE CONDUCT AND INTERVENTION SUPPORTS

Please sign one form for each Buffalo Public Schools student in your household and return it to your student's school. (Note: Failure to sign and return to the school does not relieve the student from the responsibility of conforming to the Buffalo Public Schools' Standards for Conduct, Character and Support 2025-2026.

I have received a copy of the Buffalo Public Schools' Standards for Conduct, Character and Support 2025-2026.

\_\_\_\_\_  
**Student's Name (Please Print)**

\_\_\_\_\_  
**Student's School (Please Print)**

\_\_\_\_\_  
**Parent/Guardian/Caregiver's Name (Please Print)**

\_\_\_\_\_  
**Parent/Guardian/Caregiver's Signature**

\_\_\_\_\_  
**Date**

# APPENDIX B

## Visitor to the School - Policy #3210

To promote effective communication between the citizens of the community and the School System, the Board of Education encourages parents and other citizens to visit their schools periodically during the course of the school year.

The Board recognizes that many visits that occur are regularly scheduled events, e.g., parent-teacher organization meetings, public gatherings, registering of students, etc. There are also occasions when parents or guardians desire to visit their child's classroom at other than regularly scheduled times. When such visitations occur, they shall be made on the basis of a defined need and shall be made only with the approval of their child's teacher and/or principal. The Board views these visits as constructive; however, no such visit shall be permitted to interfere with the educational process.

Wherever possible, principals will arrange requested visits at such time and in such manner as to offer the greatest benefit to the visitors consistent with the proper and efficient operation of the school. Normal school procedures will prevail without interruption of instruction or interference with the regular classroom activities of students. Principals may use their discretion in handling unannounced visits or requests for visits arising from individuals or groups having a legitimate and sincere interest in the public schools.

Persons who are not students or staff shall report immediately to the school office and notify the principal/designee of their presence upon entering a school building. Persons other than parents, guardians, students or staff who desire to visit a school building shall do so only with the permission of an appropriate administrative staff member.

Student visitors from other schools, unless they have a specific reason and prior approval of the principal of the school, shall not be given permission to enter school buildings. New students accompanied by their parents are always welcome.

Principals will ensure that signs will be posted at the main entrances of the schools directing all visitors to report to the principal's office immediately upon entering the building. Visitors to school buildings are to be in accordance with the Board regulations posted in conspicuous places. A violation of the visitation policy shall be prosecuted pursuant to New York State Law.

### Board Member School Visits

Unless specifically authorized to act on behalf of the Board of Education, an individual Board member has no right to make an official visit to the schools for the purposes of inspecting the schools, gathering information, or giving directions to any employee of the schools. The individual Board member's rights are no greater or different from those of any other individual. As such, individual Board members shall provide advance notice of a school visit to the building principal and shall notify the principal/designee upon entering the building. Concerns or opinions related to the education program in individual school buildings shall be directed to the Superintendent of Schools.

All visitors must comply with the District's Code of Conduct.  
Education Law § 2801  
Penal Law §§ 140.10 and 240.35  
Adopted: 6/19/19

# APPENDIX C

## Student Acceptable Use Policy #7316

### Buffalo Board of Education

Acceptable Use Policy [AUP] for Information Technology for Students

The computers and networks of the Buffalo Public School System [BPS] are for the productive academic environment of students. This Acceptable Use Policy [AUP] is provided so that students, using the District's computer network resources are aware of their responsibilities. The use of these network resources is a privilege, not a right. Students should follow these rules when they use the computers, networks, equipment, and supplies of the Buffalo Public School System

### I. AUP and the User

- Students will respect the privacy of others and the security of Buffalo Public Schools System.
- Students will use only your own user ID and password – do not access the system with someone else's user ID and password.
- Students will keep your password to yourself.
- Students will remain polite, and use of appropriate language is expected at all times. Offensive and abusive messages are not allowed.
- Students will not customize the device or change the appearance of the device.
- Students must promptly report inappropriate messages received to a teacher, building administrator, or the system administrators.
- Students should not reveal personal information such as addresses, phone numbers, passwords, or financial information to others. Private information may not be posted about another person.
- Students will not disrupt, interfere with, or destroy technologies like networks, equipment, or information.
- Students will not access, store, or transmit information that is hateful, harassing, insulting, offensive, false, or defamatory, sexually explicit, obscene, or otherwise inappropriate.

Vandalism will result in cancellation of privileges to the District's computer network resources. Vandalism is defined as any malicious attempt to harm or destroy data or equipment on any computer network.

### II. AUP: Ethics and Scholarly Use [Intellectual Freedom/Copyright]

- Students will not interfere with the academic or work activities of others.
- Students will respect the copyrights and licenses of software and information.
- Students will not violate copyright laws or licensing agreements by copying, downloading, installing, or distributing software.
- Students will follow copyright laws and not duplicate, distribute, or send information unlawfully or without permission.
- Students will not knowingly join any chats using BPS credentials on BPS equipment or network to communicate without the direct guidance and presence of a BPS staff member.

### III. AUP and System Security

- Students will not use or add any methods or tools to evade or interfere with any security measure or feature that is designed to guard, track, or limit access to information [for example, do not use a web proxy server to get around Buffalo Public School System web content filters].
- Students will not alter or try to access technology devices including the network for which you do not have permission.

- Students will avoid software or equipment that can harm technological devices or network by hacking or damaging it.
- Students will avoid using or adding any tools or devices that would prevent Buffalo Public School System staff from getting information.
- Only use computers and networks for academic activities – not to play non-academic games or for prohibited or illegal activities.
- Students will not access the Internet from Buffalo Public School System facilities unless logged in with their BPS credentials.
- Students will respect the privacy and security of data and do not misuse it or assist others in doing so.
- Students will not share information with anyone that could enable them to breach the computers or networks of the Buffalo Public School Systems.
- Students will protect the device and equipment that you have been issued or loaned from being lost, stolen, damaged, or used without permission.
- Students including Parents/ Caretakers will notify a teacher or administrator if any loss, theft, unauthorized disclosure, or unauthorized access occurs.

**Students will receive access to the District's network resources unless a parent/guardian explicitly indicates the student should not have access to the District network resources. In this instance the District will attempt to provide other resources to meet the learning needs or the guardian will need to provide alternative means to access the resources provided to other students.**

Note: The Buffalo Public School System monitors its computers and networks, in accordance with the Child Internet Protection Act [CIPA] and has put other safeguards in place to protect information as it is stored, transmitted, and displayed. Students should have no expectation of privacy when using Buffalo Public School System computers and networks.

### Scope and Sanctions

This policy applies to all students at the Buffalo Public School System. A violation of Buffalo Public School System policy may lead to loss of computer privileges and/or discipline. Under certain circumstances, violations of Buffalo Public School System policy may give rise to civil and/or criminal liability. The Buffalo Public School System may also pursue legal action as deemed appropriate against individuals for unauthorized access, use, or destruction of information assets.

By virtue of the authority vested in the Superintendent of Schools under Board of Education Policy #1420, I hereby enact the foregoing procedure governing acceptable Internet use and revoke all prior versions of the district procedure on that topic.

Pascal Mubenga, Ph.D.  
Superintendent of Schools

By signing this policy, I understand that this signed agreement aligns with the use of any BPS issued technologies for student duration in the District. The Parent /Caretaker and student agree to adhering to the following policies:

#8271 -- Internet Safety/Internet Content Filtering Policy , #7315 – Student Acceptable Use Policy ,#7316 Student Use of Personal Technology and #7550 Dignity for All Students

\_\_\_\_\_  
Parent Name [please print]

\_\_\_\_\_  
Student Name [please print]

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Homeroom

# APPENDIX D

## Suspension of Students Policy #7313

The principal may suspend the following students from required attendance upon instruction:

- a. A student who is insubordinate or disorderly; or
- b. A student who is violent or disruptive; or
- c. A student whose conduct otherwise endangers the safety, morals, health, or welfare of others.

Except as follows:

Prior to considering a suspension for students in grades PK-3, the principal must first implement supportive interventions in collaboration with the school's Student Support Team and the Division of Student Support Services, as needed. If the principal determines that an in-school or out-of-school suspension is necessary—except in cases where immediate suspension is mandated by law—evidence of supportive interventions must be documented to demonstrate that interventions were executed. However, students in grades PK-3 may only be subject to suspension if they engage in pervasive or aggressive behavior that results in serious injury or poses an immediate threat to the safety of others. District personnel will systematically monitor suspension data and corrective measures will be taken to rectify any deviation from the Code of Conduct or Board Policy.

### Suspension

#### Five School Days or Less

The principal of the school where the student attends has the power to suspend a student for a period not to exceed five school days. In the absence of the principal, the designated acting principal may then suspend a student for a period of five school days or less.

When the principal (the "suspending authority") proposes to suspend a student for five school days or less, the suspending authority must provide the student with notice of the charged misconduct. If the student denies the misconduct, the suspending authority will provide an explanation of the basis for the suspension.

When suspension of a student for a period of five school days or less is proposed, the principal will also immediately notify the parent or person in parental relation in writing that the student may be suspended from school.

Written notice will be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address or addresses of the parents or persons in parental relation. Where possible, notification will also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents or persons in parental relation.

The notice will provide a description of the incident(s) for which suspension is proposed and will inform the student and the parent or person in parental relation of their right to request an immediate informal conference with the principal in accordance with the provisions of Education Law Section 3214(3)(b). Both the notice and the informal conference will be in the dominant language or mode of communication used by the parents or persons in parental relation. At the informal conference, the student or parent or person in parental relation will have the opportunity to present the student's version of the event(s) and to ask questions of the complaining witnesses.

The notice and opportunity for informal conference will take place prior to 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 will take place as soon after the suspension as is reasonably practical.

Teachers will immediately report or refer a violent student to the principal or Superintendent for a violation of the District's Standards for Conduct, Character and Support (Code of Conduct) and a minimum suspension period.

#### More Than Five School Days

In situations where the Superintendent and/or designee determines that a suspension in excess of five school days may be warranted, the student and parent or person in parental relation, upon reasonable notice, will have an opportunity for a fair hearing. At the hearing, the student has protected due-process rights such as the right to be represented by counsel, the right to question witnesses against them, and the right to present witnesses and other evidence on their behalf.

Where the basis for the suspension is, in whole or in part, the possession on school grounds or school property by the student of any firearm, rifle, shotgun, dagger, dangerous knife, dirk, razor, stiletto or any of the weapons, instruments or appliances specified in Penal Law Section 265.01, the hearing officer or Superintendent and/or designee, will not be barred from considering the admissibility of the weapon, instrument, or appliance as evidence, notwithstanding a determination by a court in a criminal or juvenile delinquency proceeding that the recovery of the weapon, instrument, or appliance was the result of an unlawful search or seizure.

#### Minimum Periods of Suspension

In accordance with law, Commissioner's regulations, and the District's Code of Conduct, minimum periods of suspension will be provided for the following prohibited conduct, subject to the requirements of federal and state law and regulations:

a. Consistent with the federal Gun-Free Schools Act, any student who is determined to have brought a firearm to school or possessed a firearm on school premises will be suspended for a period of not less than one calendar year. However, the Superintendent and/or designee, has the authority to modify this suspension requirement on a case-by-case basis.

b. A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce the period on a case-by-case basis to be consistent with any other state and federal law. The definition of "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority" is set forth in Commissioner's regulations.

c. A minimum suspension period for acts that would qualify the student to be defined as a violent student in accordance with Education Law Section 3214(2-a)(a), provided that the suspending authority may reduce the period on a case-by-case basis to be consistent with any other state and federal law.

## Suspension of Students with Disabilities

Generally, disciplinary action against a student with a disability or presumed to have a disability will be in accordance with procedures set forth in the District's Code of Conduct and in conjunction with applicable law, and the determination of the Committee on Special Education (CSE).

For suspensions or removals up to ten school days in a school year that do not constitute a disciplinary change in placement, students with disabilities must be provided with alternative instruction or services on the same basis as non-disabled students of the same age.

If suspension or removal from the current educational placement constitutes a disciplinary change in placement because it is for more than ten consecutive school days or is a pattern of removals which constitutes a change of placement, a manifestation determination must be made. The District determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.

### Manifestation Determinations

A review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability must be made by a manifestation team prior to the first day of suspension/removal:

- a. By the Superintendent, and/or designee, to change the placement to an interim alternative educational setting (IAES);
- b. By an Impartial Hearing Officer (IHO) to place the student in an IAES; or
- c. By the Board, District Superintendent, Superintendent, and/or designee, or building principal to impose a suspension that constitutes a disciplinary change of placement.

The manifestation team will include a representative of the District knowledgeable about the student and the interpretation of information about child behavior, the parent (if available to attend), and relevant members of the CSE as determined by the parent and the District. The parent must receive written notice prior to the meeting to ensure that the parent has an opportunity to attend. This will be sent via email, personal delivery or US Mail.

The manifestation team will review all relevant information in the student's file including the student's individualized education program (IEP), any teacher observations, and any relevant information provided by the parents to determine if: the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or the conduct in question was the direct result of the District's failure to implement the IEP. If the team determines the conduct in question was the direct result of failure to implement the IEP, the District must take immediate steps to remedy those deficiencies.

### Finding of Manifestation

If it is determined, as a result of this review, that the student's behavior is a manifestation of his or her disability, the CSE will conduct a functional behavioral assessment (FBA), if one has not yet been conducted, and implement or modify a behavioral intervention plan (BIP).

An FBA is the process of determining why the student engages in behaviors that impede learning and how the student's behavior relates to the environment. An FBA must be developed consistent with the requirements of Commissioner's regulations Section 200.22(a) and will include, but not be limited to, the identification of the problem behavior, the definition of the behavior in concrete terms, the identification of the contextual factors that contribute to the behavior (including cognitive and affective factors), and the formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

BIP is a plan that is based on the results of an FBA and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.

Unless the change in placement was due to behavior involving serious bodily injury, weapons, illegal drugs or controlled substances, the student must be returned to the placement from which the student was removed unless the parent and the District agree to a change of placement as part of the modification of the BIP.

### No Finding of Manifestation

If it is determined that the student's behavior is not a manifestation of his or her disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration for which they would be applied to students without disabilities, subject to the right of the parent or person in parental relation to request a hearing objecting to the manifestation determination and the District's obligation to provide a free, appropriate public education to the student.

### Provision of Services Regardless of the Manifestation Determination

Regardless of the manifestation determination, students with a disability will be provided the services necessary for them to continue to participate in the general education curriculum and progress toward meeting the goals set out in their IEP as delineated below:

a. During suspensions or removals for periods of up to ten school days in a school year that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age will be provided with alternative instruction on the same basis as nondisabled students. Students with disabilities who are not of compulsory attendance age will be entitled to receive services during suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended.

b. During subsequent suspensions or removals for periods of ten consecutive school days or less that in the aggregate total more than ten school days in a school year but do not constitute a disciplinary change in placement, students with disabilities will be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate, an FBA, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress in meeting the goals set out in the student's IEP.

c. During suspensions or other disciplinary removals, for periods in excess of ten school days in a school year which constitute a disciplinary change in placement, students with disabilities will be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate, an FBA, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services will be determined by the CSE.

### **Interim Alternative Educational Setting (IAES)**

Students with disabilities who have been suspended or removed from their current placement for more than ten school days may be placed in an IAES which is a temporary educational setting other than the student's current placement at the time the behavior precipitating the IAES placement occurred.

Additionally, an Impartial Hearing Officer in an expedited due process hearing may order a change in placement of a student with a disability to an appropriate IAES for up to 45 school days if the Hearing Officer determines that maintaining the current placement is substantially likely to result in injury to the students or others.

There are three specific instances when a student with a disability may be placed in an IAES for up to 45 school days without regard to a manifestation determination:

- a. Where the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the District; or
- b. Where a student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the District; or
- c. Where a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the District. Serious bodily harm has been defined in law to refer to one of the following:

1. Substantial risk of death;
2. Extreme physical pain; or
3. Protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

School function means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place in another state.

School premises 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.

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who violates a code of student conduct.

In all cases, the student placed in an IAES will:

- a. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress towards the goals set out in the student's IEP, and
- b. Receive, as appropriate, an FBA and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

The period of suspension or removal may not exceed the amount of time a non-disabled student would be suspended for the same behavior.

### **Suspension from BOCES**

The BOCES principal may suspend District students from BOCES classes for a period not to exceed five school days when student behavior warrants that action.

### **In-School Suspension**

In-school suspension will be used as a lesser discipline to avoid an out-of-school suspension. The student will be considered present for attendance purposes. The program is used to keep each student current with their class work while attempting to reinforce acceptable behavior, attitudes and personal interaction.

### **After School Activities**

After school activities, like field trips and other activities outside the building itself, are considered an extension of the school program. Therefore, an infraction handled in after school activities is to be considered as an act within the School District itself. A student who is ineligible to attend a District school on a given day may also be ineligible to attend after school activities. The decision rests with the Superintendent or designee.

### **Exhaustion of Administrative Remedies**

Appeals of Short-Term Suspension decisions should be made directly to the New York State Commissioner of Education. Any appeal must be filed within thirty (30) days of the suspension decision. Information regarding the process can be found as follows:

<https://www.counsel.nysed.gov/appeals>

Upon receipt of a notice of final disposition from a Long-Term Suspension hearing, parents have the option to request a reconsideration review by the Superintendent or an appeal to the Board of Education.

The reconsideration review must be requested within ten (10) calendar days of the receipt of the final disposition letter. All Superintendent's reconsideration review requests must be in writing and submitted to the District clerk.

An appeal of the decision of the Superintendent may be made to the Board of Education, within thirty (30) calendar days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board will make its decision based solely upon the submitted written and evidentiary record before it and may adopt in whole or in part the decision of the Superintendent.

Final decisions of the Board may be appealed to the Commissioner of Education within thirty (30) calendar days of the decision unless the parents can show that extraordinary circumstances precluded them from doing so. Information regarding the appeal process can be found at <https://www.counsel.nysed.gov/appeals>

### Procedure After Suspension

When a student has been suspended and is of compulsory attendance age, immediate steps will be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

When a student has been suspended, the suspension may be reconsidered by the School district whenever it appears to be for the best interest of the school and the student to do so. The School district may also condition a student's early return to school and suspension revocation on the student's voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable. The School district must ensure that a cost-free option, including direct delivery by school personnel, is available to families when conditioning a suspension revocation or a student's early return based on counseling. (School Law 40th Edition, 54:23)

18 USC § 921

Individuals with Disabilities Education Act (IDEA), 20 USC § 1400 et seq.

Gun Free Schools Act, 20 USC § 7151, as amended by the Every Student Succeeds Act (ESSA) of 2015

34 CFR Part 300

Education Law §§ 310, 2801(1), 3214, and 4402

Penal Law § 265.01

8 NYCRR §§ 100.2(l)(2), 200.4(d)(3)(i), 200.22, 275.16, and Part 201

NOTE: Refer also to Policy #7360 -- Weapons in School and the Gun-Free Schools Act

Adopted: 6/19/19

Revised: 9/17/25

## APPENDIX E

### Prekindergarten to Third Grade Suspension - Regulation #7311R

***This regulation supersedes all documents pertaining to discipline and suspension of students in grades Prekindergarten to third that have not been updated as of September 18, 2025, including regulations, and the Standards for Conduct, Character, and Support.***

Supportive interventions for students in grades prekindergarten to third (except as mandated by law; see Policy 7313) are to:

- address the root causes of behavior through proactive, responsive, and restorative supports;
- ensure developmentally appropriate responses to student behavior;
- engage in restorative practices, circles, and conferences;
- refer to the Levels of Interventions and Responses for guidance (pages 19-20 in the Standards for Conduct, Character, and Support);
- encourage engagement with community partners and resources.

All stakeholders have rights and responsibilities for promoting behavior that enhances academic and social success as follows:

- School staff should enlist parents, guardians, and caregivers as partners in reinforcing positive behavior and addressing areas in need of growth;
- School staff must promptly notify parents, guardians, and caregivers of the interventions and input documentation in the Parent-Teacher Correspondence Tab (or other district-approved areas of Infinite Campus; note that future technological updates may lead to changes in documentation procedures);
  - If the behavior results in a suspension, the principal must document the interventions as noted above and on the suspension letter;
- Parents, guardians, and caregivers have the responsibility to collaborate with principals and school and district staff to address any academic and/or behavioral problems their children may experience;
- Parents, guardians, and caregivers are encouraged to discuss any concerns or history that may affect student behavior and discuss any known effective strategies with their child's teacher and other school staff;
- District personnel will support the implementation of supportive interventions and will systematically monitor suspension data and rectify any deviations from the Standards for Conduct, Character, and Support and/or Board Policy for a suspension when it is determined to be inconsistent with these standards or procedural requirements.

Adopted: September 18, 2025

# GLOSSARY OF TERMS

## **Academic Dishonesty**

Providing, receiving or viewing answers to quiz or test items or independent assignments; having out or using books, notes or notebooks during a test without permission from a staff member.

## **Attack on Student**

Hitting, kicking, or punching another student with or without warning or immediate physical provocation.

## **Bomb Threat**

The making of threats or providing false information about the presence of explosive materials or devices on school property without cause in writing, in person or by phone, including text messaging.

## **Bullying**

Any intentional act done willfully, knowingly and with deliberation, by individuals or an individual, which harms another person physically or emotionally. Bullying includes intentional conduct (including verbal, physical or written conduct) or electronic communication that is threatening or seriously intimidating and substantially disrupts the orderly operation of a school. Bullying is characterized by an imbalance of power between two students. If two students are equally engaged in an altercation, this is not a bullying situation, but instead considered a "conflict" between the two students. When an imbalance of power is present, it can be seen in small ways over a long period of time or in a large way all at one time.

## **Cell Phone Misuse**

Use, activation or display of cell phones, camera phones, video phones or other communication devices during unapproved times.

## **Color**

The term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

## **Computer Misuse**

Any unauthorized or inappropriate use of computers, including the Internet, specific programs or hacking (i.e., sharing of obscene, pornographic, lewd or illegitimate images or photographs, unauthorized use of computers, software, or internet/intranet accounts, accessing inappropriate web sites).

## **Conference**

A communication that takes place face to face or by telephone.

## **Consequence**

A result that follows from an action or condition.

## **Controlled Substance**

A drug or other substance identified under schedule I, II, III, IV, or V in section 202 (c) of the Controlled Substances Act (21 U.S.C. section 812(c)) (United States Code, 1994 edition, volume 11; Superintendent of Documents, U.S. Government Printing Office, Washington, D.E. 20402-9328; 1995 - available at the Office of Vocational and Educational Services for Individuals with Disabilities, Room 1624, One Commerce Plaza, Albany, NY 12234).

## **Cutting Class**

Unlawful absence from a class or school activity.

## **Cyberbullying**

The use of information and communication technologies, i.e., email, cell phones, pagers, chat rooms, text messages, instant message, personal website or blogs, personal pulling sites or a combination of these or any other electronic means - to support deliberate, repeated and hostile behavior by an individual or group with the intention of physically or psychologically intimidating others.

## **Destruction of Property or Vandalism**

Damage, destruction or defacement of property belonging to the school or others.

## **Disability**

Disability means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of normal bodily function or is a demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment, or (c) a condition regarded by others as such an impairment, provided however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11(4) and §1125(3)). A disability includes restriction or lack (due to any impairment) of ability to perform an activity in the manner or within the range considered typical.

## **Disrespect Toward Others**

Inappropriate comments or physical gestures toward others.

## **Disruptive Student**

An elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

## **Employee**

Any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to Title Nine B of Article Five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct contact (Education Law §11 (4) and §1125(3)).

## **Ethnic Group**

A group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

## **Ethnicity or National Origin Harassment**

A negative act or verbal expression toward an individual or group of the same race or national origin who share common or similar traits, languages, customs and traditions, based upon race, national origin, customs and traditions.

## **Gender**

The socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women (masculine and feminine denotes "gender"); actual or perceived sex and includes a person's gender identity or expression (Education Law §11(6)).

## **Gender Identity**

A person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. Everyone has a gender identity (NYSED, 2015).

**Harassment**

The creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect or unreasonably and substantially interfering with a student's education performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes, but is not limited to; conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or gender identity (Educational Law §11 (7)).

**Hate Crime**

A "criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, ethnic origin or sexual orientation" (United States Congress).

**Illegal Drug**

A controlled substance but does not include a controlled substance legally possessed or used under the supervision of a licensed health care professional or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of Federal law.

**Internet-enabled Devices**

A privately owned device that is used for audio, video, text communication or any other type of computer-like instrument. Personal, internet-enabled devices may include but are not limited to:

- Smartphones, tablets, smart watches, laptops, gaming consoles, Fitbits, Smart glasses, VR headsets, MP3 players,

**Loss of Privileges**

As a consequence of a violation of Buffalo Public Schools' Code of Conduct, a student can lose the right to participate in school events and activities, including participation in graduation and senior activities (if the behavior warrants this consequence, only monies paid as senior dues for the missed activity will be refunded).

**Makeup Work**

When students are removed from class because of inappropriate or disruptive behavior, school staff must provide students with missed assignments and the opportunity to make up these assignments without penalty. Students with Individualized Education Plans (IEPs) and 504 plans have additional protections that may require full IEP implementation, not just homework packets.

**Medical Attention**

Further Care beyond initial evaluation or minor intervention (e.g., band aide, ice pack, etc.) as recommended by the school nurse or from an outside medical provider.

**Multi-Tiered System of Supports (MTSS) Replacing PBIS**

Multi-Tiered System of Supports (MTSS) is a comprehensive framework that provides social, emotional, behavioral supports, interventions and strategies to meet the needs of all students. The MTSS Framework utilizes a three-tier model of prevention and intervention (Tier 1, universal; Tier 2, targeted; Tier 3, intensive). This framework has been implemented in all BPS Schools to create a positive climate and culture, with consistent high expectations for behavior, incentives and consequences. The MTSS Framework helps adults and children have a common understanding of the behavioral expectations for all. The MTSS Framework utilizes data and a team approach to promote student wellness and improve engagement in learning. Parents, care givers and guardians are encouraged to serve on their school's MTSS Team. For more information about MTSS Team, please contact your school.

**National Origin**

A person's country of birth or ancestor's country of birth.

**Poisoning**

Putting any substances in another person's food or drink, which poisons or contaminates that food or drink, or on a person's body that causes injury or harm, or would likely cause injury or harm, to the person.

**Race**

A group of persons related by a common descent or heredity. For purposes of enumeration, the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/ African descent", "Asian", "Bi-racial", "Hispanics/Latinos", etc. to describe and classify the inhabitants of the United States.

**Racial Harassment**

A negative opinion or verbal expression toward an individual or group of persons who possess common physical characteristics (i.e., color of skin, eyes, hair and facial feature genetically transmitted by descent and heredity) that distinguish them as a distinct division of humankind, based on these physical characteristics.

**Religion**

Specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

**Religious Harassment**

A negative opinion or verbal expression toward an individual or group of persons, who possess common religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, based on religious beliefs.

**Religious Practice**

A term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

**Reportable to Police**

Certain offenses require police reports while reporting of others depends on whether the activity is considered criminal behavior. Police reports are required when an offense is illegal or causes injury to persons. Also see School Resource Officers.

**School Property**

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, secondary, adult education or post-secondary school or any other property owned or leased by the District, or in or on a school bus, as defined in Vehicle and Traffic Law §142, or other transportation vehicle adopted by/for the District (Education Law §11(1)).

**School Resource Officer**

The Standards for Community-wide Conduct and Intervention Supports identified certain inappropriate or disruptive behaviors that may be considered a danger to the health, safety and welfare of the school community. When these behaviors occur, School Resource Officers must be notified. If school staff or principals are unsure of whether to contact school resource officers, they should contact the Associate Superintendent for the school. If and when school staff or principals take steps to contact Buffalo Police, parents or guardians of the affected students must be notified immediately.

**Restitution**

Replacing item(s) that were stolen or damaged by providing fair market value by way of compensation or service.

**Safe and Civil Schools**

Safe and Civil Schools is an initiative that guides schools through the process of designing a proactive and positive school-wide behavior plan. Staff develops and implements effective behavior management and motivation practices, as well as behavior supports for all students. Adults work toward creating an environment for students that are emotionally and physically safe and that fosters independence, integrity, confidence, self-control, kindness, literacy, and responsibility.

Included in Safe and Civil Schools is Start on Time, a comprehensive program which guides schools through a process of designing a proactive and positive plan for improving hallway transitions and reducing tardies to class. Randy Sprick's Safe and Civil Schools has been listed in the National Registry of Evidence-based Programs and Practices (NREPP).

**School Bus**

Every motor vehicle owned and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law § 11(1) and Vehicle and Traffic Law §142).

**School Day**

Any day of required pupil attendance; unless preceded by the word "calendar" - "day" means a school day.

**School Function**

A school-sponsored extracurricular event or activity (Education Law § 11(2)).

**School Uniform Policy**

A mandatory school-based uniform policy is one in which the school prescribes a standard uniform and requires all students to participate.

**Serious Bodily Injury**

Bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

**Sexual Activity**

Inappropriate behavior of a sexual nature while on school grounds or during school-sponsored activities, including but not limited to indecent exposure, consensual sexual contact, oral sex or possession of sexually explicit material.

**Sex**

The biological and physiological characteristics that define men and women (Male and Female denotes "sex").

**Sexual Assault**

Physical sexual act by force or threat of force.

**Sexual Harassment**

Unwelcome sexual advances, requests for sexual favors, taking or sending sexually explicit videos, pictures or auditory recordings or other inappropriate verbal, written or physical conduct of a sexual nature, directed toward others.

**Sexual Orientation**

The sex to which a person is sexually attracted; someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual. Actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11(5)).

**Sexual Orientation**

The sex to which a person is sexually attracted; someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual. Actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11(5)).

**Sexual Orientation Harassment**

A negative opinion or attitude toward an individual or group of persons based on their sexual attraction toward or responsiveness to members of the opposite or same sex.

**Social Media**

Social media is comprised of online platforms where users engage one another and share information and ideas through text, video, or pictures.

**Stealing**

Taking or attempting to take property of another person or institution without permission or knowledge of the owner, with the intent to deprive the owner of its use. See also Theft.

**Student Ambassadors**

The Student Ambassador goal is to engage students in activities that promote student connectedness and belonging to the school experience. Student Ambassadors serve as the youth voice for the student body. The students participate in team building activities and plan and conduct activities with their peers, in an effort to maintain a positive school climate and to motivate and engage the entire school community in address barriers to learning such as poor attendance.

**Tardiness**

Arriving late to school or class.

**Theft**

Taking or attempting to take property of another person or institution without permission or knowledge of the owner, with the intent to deprive the owner of its use. See also Stealing.

**Tobacco Violations**

Possession, use, sale or distribution of tobacco or tobacco products, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or smokeless tobacco, electronic cigarettes, vapor devices or imitation cigarettes in any form.

**Trespassing**

Being on school property without permission, including while suspended or expelled; includes breaking and entering.

**Unsafe Action**

Any action that has the potential to cause danger or physical harm to self or others, including the reckless use of a vehicle.

## **Violent Student**

A student under the age of 21 whom:

- Commits an act of violence upon a school employee, or attempts to do so;
- 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 the school function, or attempts to do so;
- Possesses while on school property or at a school function; a weapon;
- Displays while on school property or at a school function, what appears to be a weapon;
- Threatens, while on school property or at a school function, to use a weapon;
- Knowingly and intentionally damages or destroys the person property of any school employee or any person lawfully on school property or at a school function; or
- Knowingly and intentionally damages or destroys school District property;
- Engages in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student fear for his or her physical wellbeing.

## **Weapon (including look-alike and ammunition)**

A firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act, 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 other device, instrument, material, or substance (including chemical and biological substances) animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury.**

**A weapon is, by way of illustration and, without limitation, one of the following:**

- Firearm: A firearm as defined in 18.U.S.C. 921 of the federal code. Examples include handguns, rifles, shotguns, and bombs. Refer to the federal code for the complete definition.
- Other guns: Any gun of any kind, loaded or unloaded, operable or inoperable, including any object other than a firearm that looks like a gun. This shall include but is not limited to a pellet gun, paintball gun, stun gun, taser, BB gun, flare gun, nail gun, and airsoft gun.
- Other weapons: Any implement that could cause or is intended to cause bodily harm, other than a firearm or other gun. This shall include, but is not limited to, a switchblade knife, hunting knife, star knife, razor (including straight or retractable razor), brass knuckles, box cutter, nun-chuck, spiked glove, spiked wristband, any mace derivative, tear gas device or pepper spray product.
- Weapon used to cause bodily harm or injury: Use of a weapon to injure any person on school property or while involved in a school-sponsored activity.

## **Weight**

Aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

# Board of Education Members

## 2026-2027



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Buffalo Council of Supervisors and Administrators  
**BCSA**

Buffalo Parent Teacher Organization  
**BPTO**

Buffalo Teachers' Federation  
**BTF**

Community Health Worker Parent and Student Association  
**CHWPSA**

District Parent Coordinating Council  
**DPCC**

Most Valuable Parents  
**MVP**

BPS Multilingual Education Advisory Committee  
**MEAC**

Professional, Clerical, Technical Employees Association  
**PCTEA**

BPS Special Education Parent Advisory Committee  
**SEPAC**

BPS Inter-High Student Council  
**IHSC**