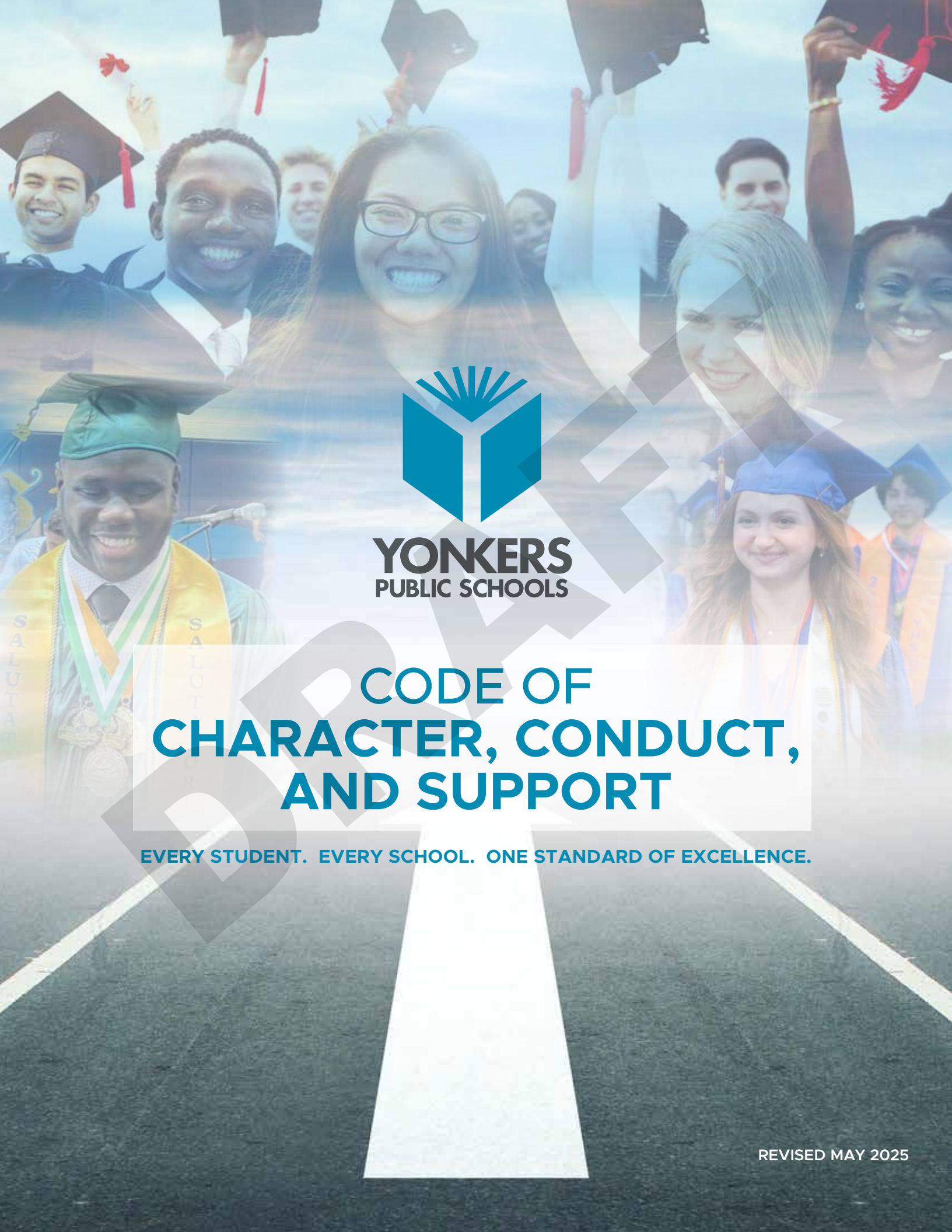


YONKERS
PUBLIC SCHOOLS

CODE OF
CHARACTER, CONDUCT, AND SUPPORT

EVERY STUDENT. EVERY SCHOOL. ONE STANDARD OF EXCELLENCE.

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REVISED MAY 2025

YONKERS
PUBLIC SCHOOLS

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VISION

Creating a Foundation for Success:
Innovation, Inspiration, Critical Thinking and Excellence for All

MISSION

Yonkers Public Schools is committed to creating a culturally responsive and sustaining environment that ensures all learners in our school community are equitably prepared with critical thinking skills, are able to lead, inspire, and succeed in the world of today and tomorrow.

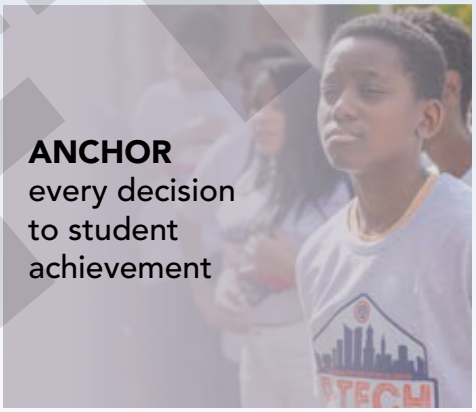
CORE VALUES

Everyone in
Yonkers Public Schools will:

PRACTICE
mutual respect for all including those with experiences that are different from one's own



ANCHOR
every decision to student achievement



DEVELOP
the whole child



COMMIT
to understanding and affirming the cultural assets that children bring



SUPPORT
every educator in the pursuit of ongoing professional growth



CONNECT
the school, home, and community in all activities



ENGAGE
all community members in student success





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PURPOSE

The Code of Conduct is based upon education laws, regulations, and Board of Education (BOE) policies. Its purpose is to set expectations that allow the Yonkers Public Schools to create and maintain a safe, civil, and caring environment in which teachers can provide high quality instruction and students can be fully engaged in learning. Unless otherwise indicated, this Code applies to all students, school personnel, parents, and other visitors; informs them of the Yonkers Public Schools' expectations regarding behavior and conduct when on school property or attending a school function; and provides for the enforcement of these expectations

In adopting this Code of Conduct (BOE Policy 5300) and through the active participation of administrators, teachers, staff, parents, students, and the entire Yonkers community, the Board strives to ensure that students are provided supports and interventions that promote positive behavior, afforded opportunities to improve and correct inappropriate and/or unacceptable behavior, and given the opportunity to grow and develop as positive members of society. Further, this Code will help ensure that all stakeholders fully understand their rights and responsibilities and that discipline, when necessary, is administered promptly and fairly.

NOTE: Throughout this document, the term "parent(s)" refers to persons in parental relationship, including guardians and custodians.

DISSEMINATION & REVIEW

The Board and Superintendent will take reasonable steps to ensure that the community is aware of the Code of Conduct enabling all community members to support the academic, social and emotional growth of all students. The following will be done:

1. Provide of a summary of the Code of Conduct to all students, written in age appropriate language, at a general assembly held at the beginning of each school year and, if after the school year has begun, upon a student's enrollment.
2. Mail a summary of the Code of Conduct to all parents of District students, written in all pertinent languages, before the beginning of each school year and make this summary available later upon request.
3. Have copies of the Code of Conduct available to all parents throughout the school year.
4. Post the Code of Conduct on the District's website in both English and Spanish.
5. Make copies of the Code of Conduct available in each school building for review by students, parents, and other community members throughout the school year.
6. Provide all current teachers and other staff members with a copy of the Code of Conduct.
7. Provide new employees access to the current Code of Conduct when they are first hired.
8. Provide informational sessions in English and Spanish.

The District will sponsor a professional development program for all District employees to support the effective implementation of the Code of Conduct in the schools. The Superintendent may solicit the recommendations of District staff, particularly teachers and administrators, regarding professional development pertaining to the management and discipline of students. Additional professional development related to the Code of Conduct, its implementation and student discipline will be included in the District's professional development plan, as needed. Teachers will be expected to review the Code of Conduct with their students in class.

REVIEW OF THE CODE OF CONDUCT

The Board of Education will review the Code of Conduct yearly and update it as necessary. In conducting the review, the Board will consider the effectiveness of the Code of Conduct's provisions and whether the Code has been applied fairly and consistently. In order to assist the Board, the Superintendent and/or his/her designee may evaluate the implementation of the Code of Conduct including, but not limited to, school climate, interventions, and responses in an effort to prevent inappropriate behavior and ensure its implementation with fidelity.

Additionally, the Superintendent may appoint an advisory committee of stakeholders to assist in reviewing the Code of Conduct.

The Board will hold at least one public hearing before adopting any revisions to the Code of Conduct. At this hearing, school personnel, parents, students, and any other interested parties will be provided an opportunity to participate.

The Code of Conduct and any amendments to it will be filed with the New York State Commissioner of Education, in the manner prescribed by the Commissioner, no later than 30 days after adoption.

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STUDENT RIGHTS & RESPONSIBILITIES

STUDENT RIGHTS	STUDENT RESPONSIBILITIES
• To attend school in a positive social, emotional and educational environment • To be supported by school staff that is willing to hear and address the needs and concerns of students • To feel safe from crime, violence, intimidation, bullying, harassment, racism, and other discrimination based on actual or perceived race, color, physical appearance, national origin, ethnic group, religion or religious practice, gender identity (including gender expression), sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function, or activity.	• To only engage in behaviors which support a positive learning environment • To express needs and concerns appropriately • To understand and follow school behavior expectations and to report instance of bullying and dangerous /unsafe situations to school administrators
• To attend school in the District in which their parents reside and receive a free public education from age 5 to 21, as provided by law. • To be informed of school board policies and school rules about absences and tardiness • To arrange to make up classwork / tests for credit after returning from an absence	• To demonstrate self-discipline by making responsible behavioral and academic choices, adhering to the standards of behavior in the Code of Conduct. • To attend school and class daily and to be on time, and to provide documentation of the reason for an absence • To request make-up work for an absence and arrange to complete it within the given grading policy
• To receive available guidance, counseling, and advice for personal, social, educational, career, and vocational development. • To be informed about school guidance services and request counseling when needed. • To serve on student councils, advisory bodies, school teams and committees that influence the education process whether school/ District based.	• To utilize guidance services for educational improvement • To request counseling or advisement when needed and work cooperatively with school staff • To seek opportunities to share voice and engage in civic learning
• To express views (in written or verbal form) without being obscene, disruptive, discriminatory or provocative • To have religious beliefs respected • To be protected from bullying, intimidation and threats	• To respect the rights of others when they express their views • To respect the religious beliefs of others and to refrain from activities that hold religious beliefs up to ridicule • To refrain from bullying, intimidating and threatening conduct
• To have personal possessions remain private unless school staff have a reason to believe that a student in possession of items prohibited by the Code of Conduct or the law • To have personal property respected • To have access to instructional materials to support and promote college and career readiness.	• To keep prohibited items away from school and school functions • To respect the personal property of others • To use technology appropriately as directed by adults in accordance with District policy; keeping personal electronic devices off and out of sight except with permission of school staff.
• To be given information about how to report incidents of intimidation, harassment and discrimination. • To be provided clear information and expectations regarding: o Course objectives, requirements, and state standards; o Grading criteria and procedures; o Assignment requirements and deadlines; o School and classroom rules and expectations regarding behavior.	• To report incidents of intimidation, harassment and discrimination • To access course material and commit to doing your best to complete all assignments • To try to correct and improve behavior through non-confrontational and restorative interventions. • To seek help and assistance when needed • Accepting direction, requests, feedback, and support respectfully from adults; as well as accepting consequences when behavioral expectations are not met or school rules are violated.
• To bring complaints or concerns to the Yonkers Public Schools staff without fear of retaliation. • To request an explanation of or challenge, in writing, anything in their education records. • To be provided an opportunity to be heard in disciplinary actions for alleged violations of the Code of Conduct (resulting in removal or suspension). • To have a parent or appropriate representation attend disciplinary conferences and hearings.	• To advocate for yourself in written or verbal form against potential injustice or inequities. • To regularly review records for accuracy • To request a hearing in writing to examine evidence and alleged charges • To inform and encourage parent participation at all disciplinary conferences and hearings.

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PARENT RIGHTS & RESPONSIBILITIES

PARENT RIGHTS	PARENT RESPONSIBILITIES
• To be treated courteously, fairly, and respectfully by all school staff and principals in a welcoming school environment. • To participate in decisions affecting their children's education. • To get information about the policies of the Board of Education and procedures that relate to their children's education, including the Code of Conduct, in a language and at a comprehension level that ensures full understanding. • To receive or have access to regular written, oral, and/or electronic reports from school staff regarding their children's academic progress and behavior, including but not limited to report cards and behavior progress reports.	• To be respectful and courteous to staff, other parents, and students at all times. • To be active partners in their children's education by recognizing that the education of your children is a joint responsibility of parents and the school community. • To inform Yonkers Public Schools and their child's school when you change address (verification required), telephone number, or emergency contact information; and inform school officials of changes in the home environment that may affect student conduct or performance. • To respond promptly to all correspondence from their child's school and the school district. • To tell school officials about any concerns or complaints they have in a respectful and timely manner.
• To understand and access the District's policies, including attendance, academics, and Code of Conduct • To participate in decision-making affecting school policies and procedures. • To receive information about school-based and community-based services that can help improve their children's academic and behavioral progress. • To receive information about services for students with disabilities and/or who are English Language Learners. • To receive information and prompt notification of inappropriate or disruptive behaviors by their children or that may impact their children and any disciplinary actions taken by principals or school staff.	• To make sure children attend school regularly and on time. • To let their child's school, know when and why the child is absent, provide written documentation when their children return to school; and assure completion of missed work. • Ensuring that each child(ren) has all health immunizations as required by law. • To read and become familiar with the policies of the Board of Education and the Yonkers Code of Conduct; and talk with their children about school and expected behavior and help them to understand their rights and responsibilities. • To seek opportunities to participate in School Committees and PTA. • To bring to the attention of school staff, any issues of discrimination, harassment, bullying/cyberbullying involving their child and report incidents that may affect the school environment. • To work with school staff to find school and community resources that meet family needs.
• To be contacted in a timely manner when a student is believed to have committed a crime and police are summoned. • To receive information about due process procedures for disciplinary matters concerning their children, including information on conferences and appeals. • To request a mediated conference with the parent of a student or a school staff member who has had a founded negative interaction with their child. • To bring complaints or concerns using policies that outline clear grievance procedures, first, to the school principal or staff member and then, if dissatisfied with the resolution, to the District level, all without fear of retaliation.	• To work cooperatively with school officials when their children have not behaved in accordance with the Code of Conduct; address any academic or behavioral problems that their children may be having, and attend school conferences when requested

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ADMINISTRATION & STAFF RIGHTS

ADMINISTRATION & STAFF RIGHTS

- To work in a safe and orderly environment
- To be treated fairly and respectfully by students, parents, and staff.
- To receive timely and appropriate professional development and training necessary to comply with the Code of Conduct and Board policies
- To receive the necessary resources to deliver and support quality instruction in a timely manner.
- To modify instruction consistent with Board policies and with state and federal regulations
- To communicate concerns, suggestions, and complaints without repercussions and receive a timely response
- To communicate concerns, suggestions, and complaints to District Central Office Administrators without repercussions and receive a timely response if the issue has not been resolved at the school level.

SCHOOL ADMINISTRATION RESPONSIBILITIES

- To maintain a safe and orderly environment by using prevention and intervention strategies identified in, but not limited by the Code of Conduct.
- To establish and promote a stimulating positive school environment and support classroom procedures and practices that enhance effective teaching and maximize student learning
- To be respectful to students, parents, staff, and colleagues serving as role models for students
- To support the development of, and student participation in, extracurricular programs
- To assist students with emerging personal, social, and emotional problems and in the promotion of positive peer relationships
- To be knowledgeable about the policies of the Board of Education; educate students, parents, and school staff about these policies; to apply them fairly and consistently
- To respond to complaints or concerns from students, parents, and school staff about violations of these policies in a timely manner and understandable language
- To be aware of federal and state laws and guidelines related to the Individuals with Disabilities Education Act (IDEA), especially the disciplinary process for students with disabilities, Title IX, and The Dignity for All Students Act
- To refer students to pupil support staff when needed, if available
- To participate in required professional development opportunities
- To maintain and encourage a climate of mutual respect and dignity for all regardless of actual or perceived race, color, physical appearance, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity
- To address issues of perceived discrimination, harassment, bullying, and cyber bullying in any situation that threatens the emo-tional safety or physical health of any students or school staff, and report incidents of discrimination and harassment that are either witnessed or otherwise disclosed to central office administration
- To work toward resolving any bias that may prevent the equitable education and treatment of all students in the school or classroom setting
- To use school computers and/or other electronic devices for school purposes
- To inform parents and students of student academic progress and behavior, to create meaningful opportunities for their participation, and provide regular communication in a language they understand
- To provide available academic and social-emotional interventions for struggling students
- To initiate conferences involving students, parents, teachers, and other school staff as a way to resolve academic and social-emotional concerns
- To ensure that students who are absent from class for administrative approved school activities and legal absences or suspension are provided with missed class assignments
- To review with staff student educational progress and provide information that assists students and parents with further educational goals and/or career planning
- To communicate to staff and parent's clear expectations regarding:
  a. Course objectives, requirements, and state standards;
  b. Grading procedures for each semester;
  c. Assignment requirements and deadlines;
  d. Norms for school-wide behavior.
- To ensure that students and staff have the opportunity to communicate with the principal.
- To evaluate, on a regular basis, all instructional programs.

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TEACHER AND PUPIL SUPPORT PERSONNEL RESPONSIBILITIES

- To assist in maintaining safe and orderly schools by using prevention and intervention strategies identified in, but not limited to, the Code of Conduct
- To promote a positive school environment by establishing school and classroom procedures and practices that support effective teaching and maximize student learning
- To be respectful to students, parents, staff, and colleagues, serving as role models for students;
- To assist students with emerging personal, social, and emotional problems and in promoting positive peer relationships
- To be knowledgeable about the policies of the Board of Education; educate students, parents, and school staff about these policies; apply them fairly and consistently; and respond to complaints or concerns from students, parents and school staff about violations of these policies in a timely manner in understandable language
- To be aware of federal and state laws and guidelines related to the Individuals with Disabilities Education Act (IDEA), especially the disciplinary process for students with disabilities, Title IX and The Dignity for All Students Act
- To share concerns about students with pupil support staff, if available, and make referrals when needed
- To participate in professional development opportunities
- To maintain and encourage a climate of mutual respect and dignity for all regardless of actual or perceived race, color, physical appearance, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity
- To address issues of perceived discrimination, harassment, bullying, and cyberbullying in any situation that threatens the emotional or physical health or safety on any students or school staff, and report incidents of discrimination and harassment that are either witnessed or otherwise disclosed to school building administrators
- To use school computers and/or other electronic devices for school purposes
- To use their YonkersPublicSchools.org email for work related business
- To communicate with parents and students regarding their academic progress and/or social-emotional concerns in a timely manner
- To respond to parent email within 72 hours of the email date or as per prior arrangements between the teacher and parent
- To provide academic and social-emotional interventions for struggling students
- To meet with students, parents, administrators, and other school staff to inform and resolve academic and social-emotional concerns in a timely manner
- To provide to the principal or his or her designee, class assignments and/or missed work for students who are not in their regular assigned class or school, for any reason, including, but not limited to, illness, injury, or suspension
- To use approved form to record information about interventions used in the classroom and to respond to Code of Conduct infractions
(see attached form).
- To review with students their educational progress and career plans on a regular basis, and provide information that assists students and parents with further educational goals and/or career planning;
- To review with staff student educational progress and provide information that assists students and parents with further educational goals and/or career planning
- To communicate to staff and parent's clear expectations regarding:
  a. Course objectives, requirements, and state standards;
  b. Grading procedures for each semester;
  c. Assignment requirements and deadlines;
  d. Norms for school-wide behavior.

CIVIL SERVICE EMPLOYEES ASSOCIATION RESPONSIBILITIES

- To assist in maintaining safe and orderly schools, immediately reporting concerns to the principal, and then to the appropriate School Facilities Management supervisors and/or administrators
- To promote a stimulating school environment by assisting in establishing positive school and classroom procedures and practices that support effective teaching and maximize student learning
- To be respectful to students, parents, administrators, staff, and colleagues, serving as role models for students
- To be knowledgeable about the policies of the Board of Education; to help educate students, parents and school staff about these policies; apply them fairly and consistently; and respond to complaints or concerns from students, parents, and school staff
- To be aware of federal and state laws and guidelines related to the Individuals with Disabilities Education Act (IDEA), especially the disciplinary process for students with disabilities, Title IX, and The Dignity for All Students Act
- To share concerns about students with administrators and pupil support staff, if available
- To participate in professional development opportunities
- To maintain and encourage a climate of mutual respect and dignity for all regardless of actual or perceived race, color, physical appearance, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity
- To assist in providing academic and social-emotional interventions for struggling students
- To report issues of perceived discrimination, harassment, bullying, and cyber bullying in any situation that threatens the emotional or physical health or safety on any students or school staff, and report incidents of discrimination and harassment that are either witnessed or otherwise disclosed to school building administrators;
- To participate in conferences with administrators involving students, parents, teachers, and other school staff as a way to resolve academic and social-emotional concerns
- To use school computers, and other electronic devices appropriately.

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DISTRICT ADMINISTRATION RESPONSIBILITIES – SUPERINTENDENT OF SCHOOLS

- To promote a safe, orderly, respectful, healthful and stimulating environment, free from intimidation, discrimination, harassment, bullying, and cyberbullying, that supports active teaching and learning
- To ensure that the Dignity Act Coordinator (DAC) in each school building is thoroughly trained to handle human relations and is accessible to students and other staff members for consultation and advice as needed in relation to the Dignity for All Students Act
- To review with District and building administrators the policies of the Board of Education and state and federal laws relating to school operations and management
- To create and implement programs and procedures that encourage safe and orderly schools for all students, school staff, and principals
- To educate the community, students, parents, school staff, and principals about the policies of the Board of Education and educational trends
- To provide support and professional development training to principals and school staff to help them support students
- To identify and create research-based instructional programs that are appropriate and sensitive to student and teacher needs
- To ensure that all members of the school community have access to the Code of Conduct annually and that discussions about its content take place at the beginning of the school year with staff, parents, and students
- To work with District and building administrators in applying the Code of Conduct and ensuring that all cases are resolved promptly and fairly
- To address all areas of school-related safety concerns
- To review data on the implementation of the Code of Conduct and make recommendations on improvement, when needed, to reduce the use of suspensions
- To take appropriate measures when violations of the Code of Conduct occur
- To use computers, phones, and other electronic devices appropriately.

DISTRICT ADMINISTRATION RESPONSIBILITIES – DISTRICT ADMINISTRATORS

- To implement policies and procedures that encourage safe and orderly schools for all students, school staff, and school administrators
- To protect the legal rights of administrators, school staff, students, and parents
- To ensure the protection of the legal rights of Students with Disabilities
- To be courteous, respectful and fair with students, parents, school staff and administrators
- To respond to school administrators' communications in a timely manner
- To provide a broad-based and varied curriculum to meet individual school needs
- To inform the community, students, parents, school staff and principals about policies of the Board of Education
- To provide support and professional development training to principals and school staff to help them support students
- To support principals and school staff in the fulfillment of their responsibilities as defined by the Code of Conduct
- To contact and involve parents on disciplinary issues
- To monitor and analyze data on the implementation of the Code of Conduct
- To coordinate and ensure that all community and governmental resources are available to the school district
- To use computers, phones, and other electronic devices appropriately.

BOARD OF EDUCATION RESPONSIBILITIES

- To collaborate with all parts of the school community to develop and approve a Code of Conduct that clearly defines expectations for the conduct of all members of the school community on school property and at school functions
- To review and adopt the Code of Conduct and to evaluate the Code's effectiveness, fairness, and consistency of implementation annually
- To appoint a Dignity Act Coordinator (DAC) in each school building
- To lead by example by conducting Board meetings in a professional, respectful, courteous manner
- To review data and the recommendations of the Superintendent on the implementation of the Code of Conduct.

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CONCERNS/ COMPLAINTS PROCEDURES

Yonkers Public Schools wants to help parents and families find solutions when there is a concern about their child's education. By working in partnership with your child's school, parents and school staff can explore and find solutions.

STEP 1 **Where should I start?**	The first point of contact parents should make is with their student's teacher. You may make a verbal or written complaint.
STEP 2 **What if the issue is not being resolved?**	If parents feel the issue is not being resolved, they should contact the school administration. School leaders are to investigate and respond to your concern.
STEP 3 **What if I am not satisfied with the school-based resolution?**	The parent should contact Central Office Administration. **Contact Central Office Administration online:** https://www.yonkerspublicschools.org/lets-talk **Office of School Leadership, Engagement and Equity:** 914-376-8230 **Office of School Leadership and Engagement:** 914-376-8066 / 914-376-8281 **Office of Student Support Services:** 914-376-8489 **Office of Teaching and Learning:** 914-376-8184 **Office of Management, Administration, Planning & Operations:** 914-376-8006 **Safety and Security Department:** 914-376-8678 **Transportation Department:** 914-376-8015



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STUDENT PROTECTIONS

The safety and well-being of our students is of the utmost importance. Students are entitled to learn in a safe and friendly environment, be treated with respect, and receive the help and support of a caring community. Students are often faced with many challenges that not only affect their academic achievement, but also their social-emotional development.

When facing a problem that you cannot resolve without harming yourself or others, YOU MUST REACH OUT TO AN ADULT FOR HELP.

Bullying, Cyberbullying, Harassment, Intimidation, Hazing, & Bias Behavior DIGNITY FOR ALL STUDENTS ACT (DASA)

Bullying is defined as deliberate or intentional behavior using words or actions that is intended to cause fear, humiliation, intimidation, harm, or social exclusion. Bullying involves an imbalance of power and often involves repeated behavior. Bullying behavior can be physical, verbal, indirect (such as spreading rumors, social exclusion, and isolation), or using technology in a hurtful manner, also called cyberbullying. Cyberbullying includes, but is not limited to, use of email, instant messaging, text messages, digital pictures or images, cell phones, or social media postings to bully others. Bullying can also be carried out by someone engaging in bullying behavior on behalf of another.

The Yonkers Public Schools condemn and strictly prohibit all forms of discrimination, such as bullying, cyberbullying, harassment, intimidation, hazing, and bias behaviors. These negative behaviors are prohibited on school ground and school buses, at school-sponsored activities, programs, events, and as well as outside of school grounds in the case of cyberbullying. They can create or reasonably be expected to create a material and substantial interference with the requirements of appropriate discipline in the operation of the school, impinge on the rights of other students, and may result in disciplinary consequences.

If you or someone you know is a target of one of these behaviors, you can report it using the online Harassment, Intimidation, or Bullying Reporting Form available on the District website at www.yonkerspublicschools.org/dasa. For assistance with completing the online DASA form contact your school's DASA Coordinator, Student Support Team member and/or an administrator.

If an administrator determines that one of these behaviors has occurred, the DASA Coordinator and/or Student Support Personnel will provide support to the students involved in an effort to ensure that everyone involved feels safe, supported, and understands how to avoid these situations in the future.

Non-Discrimination

The Yonkers City School does not discriminate on the basis of an individual's actual or perceived race, color, religion, creed, ethnicity, national origin, citizenship status, age, marital status, partnership status, disability, predisposing genetic characteristics, sexual orientation, gender, military status, veteran status, domestic violence victim status, or political affiliation, and additionally, does not discriminate against students on the basis of physical appearance, gender identity, gender expression, and religious practices or any other basis prohibited by New York State and/or federal non-discrimination laws in employment or its programs and activities.

The District provides equal access to community and youth organizations. Inquiries regarding the District's non-discrimination policies as well as inquiries regarding compliance with Section 504 of the Rehabilitation Act of 1973 should be directed to:

CIVIL RIGHTS COMPLIANCE OFFICER
City of Yonkers, Department of Human Resources One Larkin Center, 2nd Floor
Yonkers, New York 10701 (914) 377-6941
civilrightscompliance@yonkerspublicschools.org

Inquiries regarding compliance with Section 504 Regulations may be directed to:
DEPARTMENT OF PUPIL SUPPORT SERVICES AND SPECIAL EDUCATION
One Larkin Center, 1st Floor, Yonkers, New York 10701
(914) 376-8209

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TITLE IX – Sexual Discrimination

Sex-based discrimination includes sexual harassment, gender-based harassment, sexual violence, discrimination based on pregnancy, and the failure to provide equal opportunities in employment, admission, enrollment, or any educational programs or activities. Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any educational program or activity. Protection from the discrimination on the basis of sex includes protection from being retaliated against for filing a complaint of discrimination or harassment.

The Yonkers Board of Education and all Yonkers Public Schools are committed to complying with Title IX and enforcing school policies prohibiting discrimination on the basis of sex. Any form of sexual harassment is prohibited. This includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct of a sexual nature. Any student or employee whose conduct toward, or communication with, another student or employee is of a sexual nature and deemed harassment is in violation of this policy.

If you feel you have been the victim of any sexual harassment, you should contact the Title IX Coordinator using any of the following information:

- **STAFF:** The City of Yonkers Department of Human Resources
- **STUDENT / PARENT OR GUARDIAN:** Yonkers Public Schools – Associate Superintendent & Office of Safety & Security

Position on Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any District employee is strictly prohibited.

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 other person from physical injury.
- Protect the property of the school or 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 regarding the use of corporal punishment with the Commissioner of Education in accordance with the Commissioner's Regulations

Position on Verbal Abuse

Verbal abuse of students by YPS staff members, vendors, consultants, Community-Based Organization ("CBO") staff, and similar individuals on school property, on school trips, and at other school-related functions off school property is strictly prohibited.

a. Disruptive behavior by a student must never be punished by verbal abuse. Schools should address a student's disruptive behavior through offering guidance interventions, working with parents, and addressing behavior in accordance with restorative practice outlined in the Code of Conduct.
b. Employees who violate this Regulation will be subject to appropriate disciplinary action.

Verbal abuse is defined as language (written or oral) about or directed toward students, that:

1. Belittles, embarrasses or subjects students to ridicule; or
2. Has or would have the effect of unreasonably and substantially interfering with a student's educational performance or ability to participate in or benefit from an educational program, school-sponsored activity or any other aspect of a student's education; or
3. Has or would have the effect of unreasonably and substantially interfering with a student's mental, emotional, or physical well-being; or
4. Reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety; or
5. Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student. Verbal statements by YPS staff members, vendors, consultants, CBO staff and similar individuals directed to or about students that are discriminatory based on race, color, national origin, alienage/citizenship status, age, ethnicity, religion, creed, gender (sex), disability, sexual orientation, or weight will be investigated under the DASA procedures.

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Individuals with Disabilities Education Improvement Act (IDEIA)

The Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act (ADA)

In Yonkers Public Schools, no otherwise qualified individual with disabilities shall be excluded from participation in or denied the benefits of district programs and services solely because of his/her disability or be subjected to discrimination within YPS. Yonkers Public Schools offers a free, appropriate, public education to each qualified child with a disability within the city of Yonkers regardless of the nature or severity of the disability. In its commitment to provide each child the opportunity to reach his/her fullest potential, the District strives to meet the needs of all children, including those with disabilities. YPS implements practices to ensure that students with disabilities are identified, evaluated, and provided with appropriate education services.

EVALUATION	Procedures used to evaluate and place students must be nondiscriminatory to guard against misclassification or inappropriate placement of students with disabilities. Students who are provided special education, Section 504/ADA accommodations, and related services will be periodically re-evaluated to ensure that services remain appropriate.
EDUCATION NEEDS	Services or accommodations provided to meet individual education needs of students with disabilities will be designed and provided to meet the same quality standard as the services provided to other students.
EQUAL IN QUALITY	The quality of educational services, facilities, learning materials, and equipment for students with disabilities must be equal in quality to those provided for other students.
LEAST RESTRICTIVE ENVIRONMENT	Students with disabilities are to be educated in the least restrictive environment to the maximum extent appropriate to the needs of the individual student.
PARENT INVOLVEMENT	Procedures are set to ensure that parents/guardians can participate in the evaluation and placement decisions. The district also implements grievance procedures and impartial hearings in which the parent/guardian can participate and be represented by legal counsel. See Section 504: Notice of Rights for more information.

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ATTENDANCE POLICY

SAMPLE: [State law requires all children between the ages of six and eighteen to attend school full time. A child who has turned 18 must attend until the end of the term, quarter, or semester following his/her 18th birthday. The Yonkers Public Schools District have set policies for student absences. They are summarized below.]

The Yonkers Public Schools will regularly track student absences whether excused or unexcused. The Yonkers Public Schools is committed to reducing chronic absenteeism. A student shall be considered chronically absent when he or she has missed at least ten percent of enrolled school days. The emphasis here is on missed instruction, and as such, when determining chronic absenteeism, both unexcused and excused absences shall be taken into account.

One important goal of the attendance policy is to help provide early identification of attendance problems so that problems can be addressed effectively and in a manner that promotes student attendance and success. This goal can only be accomplished through the cooperation of all members of the school community, including parents, students, teachers, administrators, and support staff.

In maintaining student attendance records, the schools will describe an absence as either excused (legal) or unexcused (illegal) as follows:

EXCUSED ABSENCE	UNEXCUSED ABSENCE

• Personal illness with a physician's note
• Illness or death in family with a note
• Religious observance
• Attendance at a health clinic with a note from the clinic
• Quarantine with a note from a physician
• Required court appearance with a copy of the appearance ticket
• College visit with administrative approval
• Military obligation with a copy of the military order
• Suspension
	• Absent from school without a note as required
	• Present in school but absent from a class for any reason other than the exceptions noted:
	  ○ administrative altered schedule
	  ○ school operated pull-out lessons
	  ○ school testing
	  ○ curriculum based field trips
	  ○ approved participation in school/District extra-curricular activities and athletic events.

**Note: Students on home instruction are not considered absent. Validated extended absences, where there are extenuating circumstances, may be excused by administrative action. **



It must be noted that a significant, unexcused absentee rate that has a detrimental effect on a student's education can serve as the basis for a finding of educational neglect against a parent. If a student reaches **20 days of absences** and the parent has not shown a commitment to work with the school/agencies, the family will be referred to CPS and/or a PINS petition will be filed. In addition, parent will be informed that the child is in danger of being retained.

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Secondary Level Attendance (Grades 9-12)

- A student absent for more than 24 classes for a full year course, or 12 classes for a semester course, or 9 lab classes for a full year Regents science lab course will not receive credit for the course. Unexcused absences will be counted in this number.
- The only exceptions not counted toward the 24, 12, 9 limitation are: (a) administrative altered schedule; (b) school operated music lessons; (c) school testing; (d) curriculum-based field trips; and (e) approved participation in school athletic events. These are considered excused absences from class.
- If a student is absent more than 24 times in a full year course, that student may not be allowed to attend summer school.

This policy takes effect 10 days after the first official day of class. This allows schools two weeks to refine and finalize student schedules. Decisions under this policy may be appealed to the building principals and, in succession, to the Superintendent of Schools and the Board of Education. (See Appeals Process)

Grades 7 and 8

For seventh and eighth grades, attendance is critical to promotion. Promotion will be based on passing three out of four core subjects (English, Math, Social Studies and Science) during the year or in summer school (if available), and two non-core subjects.

Elementary Level (Grades PK – 6)

Classroom teachers report students who are absent for five days within an attendance period, whether consecutive or not, to the attendance person, especially if no reason has been provided. The attendance coordinator then contacts families via phone or digital messaging to determine the cause of absence and documents this information, which is shared with school staff. Additionally, a letter is sent home to parents. If a student accumulates an additional five days of absence, the teacher notifies the main office, prompting further outreach and a parent meeting. When a student reaches 15 days absent, the Student Support Team develops an intervention plan, and at 20 days, if there is no parental cooperation, the family may be referred to child protective services or a PINS petition, with the parent being informed of the risk of retention. These procedures aim to foster accountability and support for at-risk students.

Attendance as a Criterion for Promotion: Attendance will be considered in making a judgment about promotion to the next grade level. A very poor record of attendance can severely impact a child's level of skills and knowledge required for success at the next grade level.

Appeals Process

In some cases, students will have demonstrated a dramatic change in behavior, performance, and attitude toward school attendance or will have had an extended absence period due to illness or some other serious extenuating circumstance. If so, students or parents may exercise their right to appeal the 24-absence practice of no credit. Appeal forms will be accepted by the building principal during the first ten school days of the month prior to the end of the course.

The appeals process is as follows:

1. A parent or student obtains a copy of the Request for Appeal of No Credit form from the main office or guidance office, fills out Section 1 of the form and submits the form to the teacher of the course in question as soon as possible after the 12th (6th or 5th) absence.
2. The teacher fills out Section 2 of the Appeals form with all requested information and submits the form to the grade level administrator.
3. The grade level administrator holds an appeals conference with the student, teacher, guidance counselor, and parent.
4. The grade level administrator fills in Section 3 of the form and routes copies of the form to the teacher, guidance counselor, parent, student, and attendance office.

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DRESS CODE

Student Dress Code

All students are expected to dress appropriately for school and at school-sponsored functions. Students and their parents are responsible for ensuring that student dress (including jewelry) and appearance is safe and appropriate and does not disrupt or interfere with the educational process. School personnel should help students develop an understanding of appropriate appearance in the school setting.

The following dress code will be enforced:

- Students may not wear extremely brief, revealing garments such as, but not limited to, tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), midriff tops, see-through fabrics, short shirts, or dresses.
- Undergarments such as, but not limited to, underwear and/or undershirts must be completely covered with clothing. Pants and/or shorts are to be worn at the waist.
- Footwear must be worn at all times. Footwear that is a safety hazard, such as, but not limited to, flip-flops or sandals without a heel strap and lace up shoes without laces, is not allowed.
- Clothing and/or accessories which promote inappropriate products or activities prohibited by school policies or that is likely to cause a material and substantial disruption in the school is not allowed. This includes, but is not limited to items that display, promote, or endorse profanity, illegal organizations and/or gang identity, violent activities, and/or the use of alcohol, tobacco, or illegal drugs or substances.
- Clothing will be considered inappropriate if it contains obscenity, is libelous, or denigrates others on account of race, color, religion, creed, national origin, gender, sexual orientation, disability, or any other protected class.
- Headgear of any kind including, but not limited to, hats, caps, and hoods may not be worn in school, except for headgear for religious or medical purposes.
- Face coverings of any kind may not be worn in school, except for religious, health or medical purposes.
- Jewelry that is capable of being used as a weapon is not allowed. This shall include, but is not limited to, rings covering multiple fingers, spiked necklaces or belts, belts with large removable buckles, heavy and/or large neckwear, martial arts gear, chain link wallets, and key rings.

While some garments are inappropriate to wear during the school day, exceptions may be made for school dances and proms by individual schools. Those who violate the dress code must modify their appearance by covering the offending item and/or replacing it with an acceptable one. If they refuse to do so or repeatedly violate the dress code, they will be subject to discipline under this Code of Conduct.

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Student Use of Electronic and Computer Technology



Communication Devices

While on YPS premises, students are not allowed to activate, use, or display electronic communication devices, including but not limited to mobile phones, tablets, portable music players, or any devices capable of accessing social media. Violation of this rule will result in discipline according to Administrative Policy. If devices are activated, used, or displayed in violation of this policy, they may be confiscated.

If a student activates, uses, or displays a communication device to endanger the physical safety or mental well-being of others, the student will be recommended for suspension. In the event that communication devices are brought to school, the school and school district will not be financially responsible for lost, damaged, or stolen items.

Inappropriate Use of Electronic Devices

Any activation, use, or display of an electronic communication device (mobile phone, tablet, portable music player, or any device capable of accessing social media), including but not limited to capturing, distributing, and posting of inappropriate images that disrupt the learning environment. Certain inappropriate images or postings will be referred to law enforcement.

Computer/Internet Technology

YPS supports the use of computer technology to enhance the education of all students. It also recognizes that with this educational opportunity comes personal responsibility. Email accounts and file materials are not private and may be monitored by the district. Electronic messages must not contain profanity, obscene comments, sexually explicit material, or expressions of bigotry, racism, or hatred. Users are cautioned against transmitting personal information that they would not want made available to strangers. This includes name, address, telephone, Social Security, and credit card numbers. Use of the Internet is a privilege, not a right. Inappropriate use will result in the cancellation of the privilege and possible disciplinary action according to Administrative Policy.

Internet Use

The use of the Internet in school facilities or on school equipment is a privilege, not a right. Inappropriate use will result in cancellation of that privilege and possible school discipline in accordance with the Code of Conduct inside this document.

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Visitor Policy

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

The following procedures have been established to ensure that visits to the schools are encouraged, enhance the educational programs in the schools, and are not disruptive to an orderly environment that is conducive to learning. Additionally, these procedures will help maintain the safety of all persons in school buildings and on school grounds.

1. The community should feel welcomed in our schools and, therefore, building principals should encourage members of the community to come to the schools to see firsthand the educational process at work.
2. Anyone who is not a regular staff member or student of the particular school will be considered a visitor. Members of the Board in fulfilling their responsibilities as Trustees, as well as the Superintendent and Central Office Administrators, have the right to visit any school within the District without prior notification.
3. All visitors to the school upon entering a school building must report to the security desk or any other designated sign-in area of the building visited. They will be required to present photo identification, sign the visitors register, and will be directed to the main office. Visitors will not be permitted to leave the main office until the principal or his or her designee has been informed of their arrival.
4. All visitors will be issued a visitor's identification badge which must be worn at all times while in the school or on school grounds. Visitors must return the identification badge to the security desk or sign-in area and sign out before leaving the building.
5. Visitors attending functions that are open to the public and/or after school hours, such as parent-teacher organization meetings, sporting events, events or activities of outside organizations,or public gatherings, whether or not school-related, are not required to sign in with the school.
6. Students and/or staff of other schools within the District who are visiting a school for an approved school-related event or activity and whose attendance at the event or activity has been pre-approved by and is known to the school are not required to sign in.
7. Persons or groups wishing to visit a school must contact the principal or his or her designee to obtain prior approval for all visits. Exceptions will be made in an emergency or in instances in which the visit was unforeseeable or providing prior notice was impractical. However, in no situation will any visitor be allowed to go beyond the main office until the principal or his or her designee has been informed.
8. The principal or his or her designee should attempt to answer all questions about the school and provide information, if available. If questions cannot be answered by the principal or the question concerns District data, the visitor should be referred to the Office of Public Information.



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9. Persons or groups wishing to observe a classroom while in session are required to arrange such visits in advance with the principal or his or her designee. Disruption of the classroom must be kept to a minimum. If a teacher feels the visit has become disruptive, he or she may request the visitor(s) leave the room. Teachers and other classroom staff are not expected to take class time to answer questions or discuss individual matters.
10. Parents are encouraged to visit teachers, guidance counselors, school nurses, school psychologists, and other support personnel in order to discuss their child's progress as well as any problems or concerns regarding the student, whether or not school-related. Parents wishing to speak with any of the above-mentioned staff members must obtain the permission of the principal and make an appointment with the individual staff member or his or her designee.
11. Visits by state or local officials must be reported to the Superintendent of Schools and the Public Information Department prior to their visit. If an official shows up unexpectedly at a school, both offices must be notified immediately.
12. To maintain a nonpartisan stance during election campaign periods for local, county, state, and federal office occurring September through November, schools must deny requests from politicians (active candidates) to visit or speak to school groups.
13. Any visitor wishing to inspect school records or interview students on school premises must comply with all applicable laws, administrative regulations, and Board policies. In questionable cases, the visitor will be directed to the Superintendent's office or his/her Central Office designee to obtain written permission for such a visit.
14. Visitors are expected to conduct themselves in an appropriate manner, conducive with the educational program in progress. Further, at all times, visitors must abide by the District's Code of Conduct as well as any other applicable law, administrative regulation, or Board policy.
15. The principal or his or her designee is responsible for all persons in school buildings and on school grounds and is authorized to take any action necessary to secure the safety of students and school personnel.
16. Visitors who become disruptive will be reported to the principal or his or her designee and will be asked to leave the school building.
17. Unauthorized visitors will be reported to the principal or his or her designee and will be asked to leave immediately. If they refuse, they may be subject to arrest and prosecution for trespassing according to New York State Penal Law.

Public Conduct on School Property

The Board of Education recognizes that the primary purpose of the District is to provide a safe, respectful, and orderly atmosphere conducive to learning and education. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. Any action by an individual or group aimed at disrupting, interfering, or delaying the education process or having such effect, is hereby declared to be in violation of Board policy. As required by Education Law §2801, the District's Code of Conduct and the associated regulation to this policy (see 1520-R) are designed to implement this policy and maintain order on school property. Further, the Board hereby authorizes the Superintendent to establish any procedures or protocols necessary to implement this policy and/or its associated regulation.

The Board also recognizes its responsibility to protect school property and declares its intent to take appropriate legal action to prevent damage or destruction of school property. The Board will also seek restitution from, and prosecution of, any person who willfully damages school property.

The restrictions on public conduct on school property and at school functions are not intended to limit freedom of speech or peaceful assembly. The Board recognizes that free inquiry and free expression are indispensable to the objectives of a school district. The purpose of these restrictions is to prevent abuse of the rights of others and to maintain public order, not to prevent or restrain controversy or dissent.

The following regulation has been established to ensure the District is able to provide a safe, respectful, and orderly atmosphere conducive to learning and education. For purposes of this regulation, "public" shall mean all persons on school property or attending a school function including students, parents, teachers, District personnel, visitors, licensees, invitees, and all other persons, whether or not their presence is authorized. Further, these rules apply upon all school buildings, grounds, premises, vehicles, or other property under the control of the District as well as with respect to any school program, event, activity, function, or meeting, whether or not conducted on school property.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

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A. PROHIBITED CONDUCT

No person, either alone or with others, shall:

1. Intentionally injure any person, or attempt or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property, including graffiti or arson, or attempt or threaten to do so.
3. Intentionally remove or use school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property without authorization, or attempt or threaten to do so.
4. Intimidate, bully, harass, or discriminate against any person on the basis of actual or perceived race, color, creed, weight, national origin, ethnic group, religion, religious practice, disability, age, sexual orientation, gender (including gender identity and expression), sex, genetic characteristics, or any other protected class.
5. Violate the Dignity for All Students Act (DASA) by engaging in any bullying, harassment, discrimination, or cyberbullying of students.
6. Disrupt or prevent the orderly conduct of classes, school programs, meetings, or other school activities.
7. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
8. Enter upon or remain in any portion of the school premises without authorization or for any purpose other than its authorized uses or in such a manner as to obstruct its authorized use by others.
9. Without authorization, enter any building or facility prior to its normal opening or remain in any building or facility after it is normally closed.
10. Obstruct the free movement of any person or vehicle in any place in which these rules apply.
11. Violate any traffic laws, parking regulations, or other restrictions on vehicles.
12. Smoke a cigarette, pipe, cigar, or use any tobacco products or e-cigarettes in violation of Board policy 1530.
13. Possess, use, consume, sell, distribute, offer, manufacture, or exchange alcoholic beverages, drug paraphernalia, or controlled or illegal substances, or any synthetic versions thereof (whether or not specifically illegal or labeled for human consumption), or be under the influence of any of the above on school property or at a school function.
14. Possess or use any weapon in or on school property or at a school function except in the case of law enforcement officers or as specifically authorized by the District, whether or not the individual is licensed to possess the same.
15. Loiter on or about school property.
16. Gamble on school property or at school functions, except that charitable gaming may be permitted if approved in advance, in writing by the Board and/or Superintendent and conducted in accordance with all applicable laws, regulations, rules, and guidance. i. Only a bona fide charitable or nonprofit organization shall be permitted to conduct games of chance such as bingo and/or raffles on school property or at school functions. ii. Prior to conducting any game(s) of chance on school property or at school functions, the organization must obtain written authorization from the Board and/or Superintendent. iii. The organization conducting the game(s) must also obtain any necessary license(s) and/or authorization(s) required by the City of Yonkers and/or New York State in accordance with the rules and regulations of the New York State Gaming Commission, Division of Charitable Gaming. iv. The entire net proceeds of the game(s) must be devoted to the lawful purposes of the organization. Additionally, if an admission fee is charged, the proceeds must be used for an educational or charitable purpose. v. Information on charitable gaming is available at: https://www.gaming.ny.gov/charitablegaming/.
17. Use abusive language or be insubordinate and/or refuse to comply with any reasonable order of identifiable District employee performing their duties.
18. Commit any act which threatens the safety, security, and/or welfare of persons on school property or attending a school function.
19. Violate any federal or state statute, local ordinance, or board policy while on school property or while at a school function.
20. Willfully incite others to commit any of the acts prohibited herein.

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B. PENALTIES

Persons who violate this code shall be subject to the following penalties:

1. Visitors, including all individuals except those specifically referenced below: Authorization, if any, to remain on school grounds or at the school function shall be withdrawn and the individual shall be directed to leave the premises. If the individual refuses to leave, h/she shall be subject to ejection and may be charged with trespassing.
2. Students: All students shall be subject to appropriate disciplinary action as the facts may warrant. Any disciplinary action taken shall be in accordance with due process and the Code of Conduct.
3. Tenured Faculty Members: Such individuals shall be subject to immediate ejection and to disciplinary action as the facts may warrant, in accordance with Education Law §3020- a or any other legal rights that they may have.
4. Staff Members in the classified service of the civil service entitled to the protection of Civil Service Law §75: Such individuals shall be subject to immediate ejection and to disciplinary action as the facts may warrant, in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5: Such individuals shall be subject to immediate ejection and to warning, reprimand, suspension or dismissal as the facts may warrant, in accordance with any legal rights they may have.

C. ENFORCEMENT

1. In addition to the Superintendent of Schools, the Building Principal or his or her designee shall be responsible for the enforcement of these rules. 1520 R
2. It is the duty of all staff members to report any violations of these regulations to the Principal or his or her designee.
3. In the case of a violation of these rules which, in the opinion of the Principal or his or her designee, does not pose any immediate threat of injury to persons or property, the Principal or his or her designee shall tell the individual(s) that the conduct is prohibited and attempt to persuade the individual(s) to stop. The Principal or his or her designee shall also warn the individual(s) of the consequences for failing to stop, which may include removal from school property or the school function.
4. In any case where the individual(s) refuses to stop engaging in the prohibited conduct, or if the conduct poses an immediate threat of injury to persons or property, the Principal or his or her designee shall have the individual removed from school property or the school function immediately. If necessary, local law enforcement authorities will be contacted to assist in removing the individual(s).
5. As appropriate, the District shall initiate disciplinary action, as described in the "penalties" section above, against any student or staff member that engages in prohibited conduct.

These regulations and the penalties set forth herein are not considered to be exhaustive or to preclude in any way the prosecution and conviction of any person for a violation of any federal, state, or local laws, regulations, or ordinances and the imposition of a fine or penalty provided for therein. As such, the District reserves all its rights to pursue civil or criminal legal action, as it sees fit, against any persons that violate these rules.

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STUDENT SEARCHES AND INTERROGATIONS

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 official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the District Code of Conduct. Students are not entitled to any sort of "Miranda" - type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent, building principals, the school nurse and District security officials to conduct searches of students and their belongings if there is reasonable suspicion that the search will result in evidence that the student violated the law or the District Code of Conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, as long as the school official has a legitimate reason for this limited search.

Before searching a student or a student's belongings, the authorized school official should attempt to get the student to admit that he or she has physical evidence proving a violation of the law or the District Code or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever possible, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers, or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search. A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

Personal Searches

A student's person and/or personal effects (e.g., purse, bookbag, etc.) may be searched whenever a school authority has reasonable grounds for suspecting that the student has violated or is violating either the law or the rules of the school. Measures adopted for such a search will be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

If a pat-down of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness present.

If extreme emergency conditions require a more intrusive search of a student's person, such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the Superintendent or his/her designee, unless the health or safety of students will be endangered by the delay caused in following these procedures.

Locker Searches

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities for any reason and at any time without notice, without student consent, and without a search warrant.

Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student's consent and without a search warrant.

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Electronic Scanning

Electronic scanning, including the use of handheld wands, walk-through metal detectors, or x-ray baggage scanners, may be used at schools when there is reasonable cause to believe that the safety of students or others may be in question. Students' possessions, such as jackets, book bags, backpacks, and purses, may also be searched and scanned as detailed below. If the student or an object in the student's possession triggers the metal detector, the object will be removed and the scan shall be repeated. If, after conducting the search with the metal detectors, it is determined that the object that triggered the detector is not a weapon, there shall be no further search of the student or his/her possessions. If a student refuses to remove an object that is triggering the metal detector, the staff may escort the student to a private area and conduct a pat-down search to determine what the object is. If the object is determined not to be a weapon, the search shall end; otherwise, the staff shall attempt to determine what is triggering the alarm and shall, if necessary, contact the police. Designated school officials conduct all searches unless it is necessary to involve law enforcement officers.

Policy Against Weapons

Weapons, including pepper spray, are not permitted in Yonkers Public Schools facilities or any facility under their control. All persons entering YPS buildings may be required to submit to a metal detector scan and to a personal search. To ensure that weapons are not brought into the premises, bags and parcels also may be searched and scanned. Any person violating this policy will be subject to disciplinary action and/or police will be called. Violators will be charged with criminal violations of the law.

Confiscation of Illegal, Unauthorized, or Inappropriate Items

Illegal, unauthorized, or inappropriate items may be confiscated. The items shall be inventoried by the school principal or designee and may be returned to the student's parent/guardian; returned to the student if he/she is an adult; be held for disciplinary proceedings; or turned over to law enforcement officers. Any item that may endanger safety will not be returned. Appropriate disciplinary action, as outlined in the Code of Conduct will be taken when necessary.

Video Surveillance

Video cameras are used on district property and buses to ensure the well-being of the public and to protect district facilities and equipment. Appropriate disciplinary action will be taken against any student who is observed violating district policies, building rules, or the law.



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Supportive Positive Climate

The Board of Education recognizes that all members of the school community have the capacity to grow and learn. Each school is expected to foster a positive school climate and culture, promote academic excellence and social-emotional development, encourage and maintain respectful relationships, and provide a supportive environment so that all students can succeed both academically and social-emotionally. Additionally, schools are expected to use a progressive discipline approach which combines prevention, intervention, and restorative practices within a safe, inclusive, and accepting environment.

Creating a positive school climate and managing discipline exist on a continuum. This process starts with community building at the school and classroom level for all students. After community has been created, preventative strategies and frameworks can be implemented to ensure teaching and learning take place in the classroom. Even with the use of strategies, some students still might struggle meeting the behavioral expectations of the classroom. All staff members need to have specific strategies they can utilize that serve as documentation in the support of students.

SUPPORTING POSITIVE CLIMATE CONTINUUM

1

COMMUNITY BUILDING

- Student-Teacher
- Student-Student
- School-wide
- Classroom

2

PROACTIVE PRACTICES

- PBIS Framework
- Restorative Practices
- Trauma-Sensitive Practices
- Social-Emotional Learning
- Expectations/Procedures
- Culturally & Linguistically Responsive Practices

3

RESPONDING TO BEHAVIORS

- T-Chart
- Classroom Strategies
- Documented in PowerSchool

4

ALTERNATIVES TO SUSPENSION

- Behavioral Referral
- Administrator Resolutions
- YPS Code of Conduct

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The Pupil Services Team (PST) should be utilized to provide support to students in need. For students who engage in chronic behaviors that are not changing with support, a behavior referral is used. Administrators will meet and discuss the behavior referral with the student, then decide the level of discipline to be used. Alternatives to suspension for students are encouraged when appropriate. Enclosed are strategies designed to be used with all students, including students with disabilities. All students have the right to be treated with dignity and respect and deserve an education that will allow them to meet their goals for the future

GENERIC YPS T-CHART OF BEHAVIORS

CLASSROOM-MANAGED BEHAVIORS	ADMINISTRATOR-MANAGED BEHAVIORS
• Leaving classroom without permission • Arguing • Disrespect • Profanity • Lack of homework • Lack of supplies • Tattling • Refusing orders • Refusing to work • Sleeping in class • Throwing items • Off task behavior • Name calling/teasing • Running • Lying • Cheating • Toys	• Chronic disrespect/disruption • Vandalism and/or defacement of school property • Substances • Chronic teacher-managed behavior (detrimental to the learning or safety of others) • Weapons • Assault • Fighting • Verbal/physical intimidation • Theft • Gang-related activity • Bullying • Harassment and/or assault (including sexual) • False alarms (fire/AED)



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Responding to Individual Problem Behaviors – Flowchart

CLASSROOM-MANAGED BEHAVIOR
WHAT TEACHERS WILL DO

STEP 1: REDIRECTION STATEMENT

Reminder Statement: "Remember, the expectation is that we keep our hoods down in class. please take your down." Teacher walks away and gives student time to comply.

Affective Statement: Restorative Response: Observation (When...) + Feeling Statement + Needs (I need...) + Request (concrete action step).

Positive Affective Statement to Others:"I feel proud when students try hard to focus and take notes while I'm talking."

Classroom behaviors are documented in PowerSchool.

STEP 2: TEACHER RESPONSE STRATEGY

Planned ignoring, redirection, secret signal, 1:1 conference, meet and greet, proximity control, move seat, acknowledgment, praise.

STEP 3: RESPONSIVE CONVERSATION

Affective Question: Ask student about their feelings and the feelings of others. "I noticed you weren't paying attention in class. How are you feeling today?"

Small Impromptu Conference: "What happened? Who was affected? What can you do to make things right?

STEP 4: TEACHER RESPONSE STRATEGY

Seat change, loss of privilege, removal of reinforcement, and so on.

Call home.

STEP 5: WRITE OFFICE DISCIPLINE REFERRAL

Include intervention strategies.

ADMINISTRATOR-MANAGED BEHAVIOR
WHAT SCHOOL LEADERS WILL DO

TEACHERS WRITES OFFICE DISCIPLINE REFERRAL

ADMINISTRATION USES INCIDENT INTERVENTION TOOLBOX TO DETERMINE OFFICE-LEVEL RESPONSE AND IMPLELENTS RESPONSE.

Review PowerSchool to identify classroom strategies implemented by teachers.

Uses restorative strategies, as needed, to resolve issue with student.

refers to Administrator Guide to Discipline for discipline levels and possible next steps.

GOING FORWARD AFTER DISCIPLINE, THE ADMINISTRATOR SHOULD MONITOR THE FOLLOWING:

- Teacher use of classroom management strategies
- Universal supports for all students
- Disproportionality data
- BIT/PBIS team meetings
- Use of restorative practices

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The disciplinary toolbox is designed to provide best practices, systems, and resources to proactively support student behaviors. When used in disciplinary situations, the toolbox offers alternatives to suspension. Included in this toolbox is information about key areas all classroom teachers need so they can establish routine procedures that will assist in the day to day management of their classroom. These techniques will aid in creating and maintaining an environment conducive to teaching and learning.

Community Building

- Specific classroom strategies
- School-wide best practices

Administrator Alternatives to Suspension

- Office-managed behaviors
- District Code of Conduct
- Administrator alternatives to suspension

Proactive Strategies

- PBIS framework
- Restorative practices
- Social-emotional learning/Second Step
- Expectations/procedures
- Trauma-sensitive practices
- Culturally and linguistically responsive practices

Additional Topics

- Bullying prevention
- Engaging student voice

Responding to Behaviors

- T-Chart
- Function of behaviors
- Specific classroom strategies
- Documenting in Power School —Classroom Behavior
- Pupil Services Team (PST)

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MULTI-TIERED SYSTEM OF SUPPORT – POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS FRAMEWORK

The Yonkers Public Schools uses a Districtwide, three-tiered Multi-Tier System of Support (MTSS) framework of behavioral supports to provide early, systematic, and appropriately intensive assistance to students who are struggling academically and/or behaviorally. The goal of MTSS is to address problematic behavior before it escalates, reduce the use of disciplinary responses including out-of- school suspensions, assist in the early identification of students with learning and/or behavioral needs, and prevent referrals to the Committee on Special Education. MTSS strives to achieve these goals by:

- fostering resiliency;
- helping students understand and follow school rules and procedures;
- teaching students the skills they need to meet behavior expectations;
- helping students develop age-appropriate social-emotional skills;
- supporting character development.

Multi-Tier System of Supports (MTSS) Fact Sheet

MTSS is...

- A framework that jelps schools improve the performance of all students by identifying needs early and modifying instruction quickly
- A comprehensive system that screens all students and provides interventions that can be intensified if needed.
- Real-time support, not wait-to-fail.

MTSS is *not*...

- Just help with academics. Behavioral and social-emotional support are included.
- The job of a few specialists. General educators play a key role in helping assess students and plan interventions.
- An excuse to delay or deny a special education evaluation. Parents can request an evaluation at any time.

Many schools use some elements of MTSS

RESPONSE TO INTERVENTION (RTI) focuyses on academics and provides increasing levels of support to struggling students. In most districts, Tier 1 is classroom-wide support for all students, Tier 2 is small group interventions, and tler 3 is intensive, individualized support.

POSITIVE BEHAVIORAL INTERVENTION AND SUPPORTS (PBIS) is similar to RTI but focuses on establishing behavioral expectations and providing tiered supports to help students meet those expectations.

Teacher training in MTSS can help schools work on...

- Assessing the needs of **all students**, not just those who are outwardly struggling.
- Monitoring **student progress data** and using this data to make decisions
- Expanding **access to specialists** who typically work with kids with disabilities
- Faithfully following **intervention timelines** and other key aspects of MTSS.

National Center for Learning Disabilities

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Every reasonable effort should be made to correct student's inappropriate behavior through interventions and other school-based resources with the least severe disciplinary responses. Students and staff must understand that progression to more stringent consequences and interventions will be applied if the inappropriate behavior continues.

Interventions are essential because inappropriate behavior or chronic violations of the Code of Conduct 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.

Furthermore, it is important for school staff to remember that instances of inappropriate behavior can be used as a "teachable moment" and understand that this is fundamental to a positive approach to discipline. We should encourage our students to learn from their mistakes as this is an invaluable part of growth and development. With this understanding, the District can promote positive behavior and teach early problem-solving skills to avoid conflict. However, if a student does display inappropriate behavior, school staff should help the student learn from his or her mistake.

Schools will assist students in this process by utilizing restorative practices which support students while holding them accountable for their actions in addition to helping heal those individuals who have been harmed. Additionally, these practices help facilitate the restoration of relationships necessary for success as a member of the school community.

▲TIER 1 INTERVENTIONS:

All students are provided with school-wide and classroom-wide expectations for successful student behavior. The focus of Tier 1 is to define clear expectations, teach appropriate school behaviors, and continuously reinforce these behaviors across all school settings for all students.

Within Tier I school staff build positive relationships with students and the primary focus is prevention. Some strategies and skills that may be employed to establish positive relationships are:

- communicating understanding;
- using affective statements;
- structuring tasks for student success;
- reinforcing student behavior in a positive manner;
- using Restorative Questions;
- developing classroom procedures with student input;
- creating a positive, safe, and trusting learning environment;
- using nonjudgmental language and fair processes;
- using small impromptu conferencing;
- staying calm in tense situations;
- using Restorative Circles;
- encouraging students to express themselves in a respectful manner;
- identifying and labeling feelings, values, and topics to be resolved (strategic listening);
- asking open-ended questions that allow students to have a voice;
- assisting students to use a positive problem-solving process.

Generally, Tier I interventions will eliminate 80 to 85 percent of the inappropriate behaviors that occur within the school and classroom settings. In instances in which this level of intervention is unsuccessful and the student continues to display inappropriate behaviors; a more intensive level of intervention will be utilized.

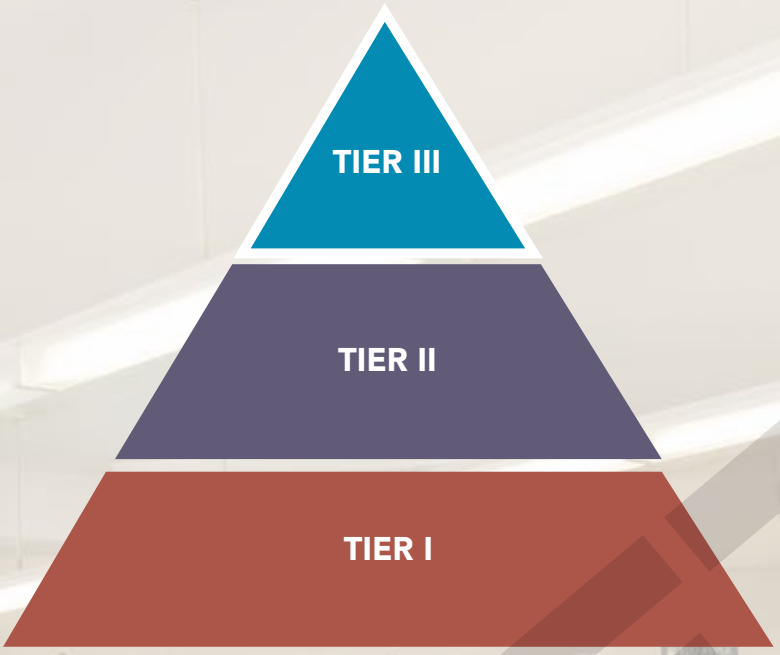
▲TIER 2 INTERVENTIONS:

About 10 to 15 percent of students continue to exhibit inappropriate behavior despite Tier 1 interventions. These students are provided with Tier 2 supports, which includes additional interventions in a small group format. Tier 2 interventions should be easy to administer and should require limited time and staff. Tier 2 provides additional supports to those students having difficulty meeting the school-wide and classroom-wide expectations which may involve the Pupil Support Team.

▲TIER 3 INTERVENTIONS:

For those students who continue to display inappropriate behavior despite receiving Tier 1 and Tier 2 interventions, more individualized Tier 3 interventions should be implemented. In general, less than five percent of students will require this level of support. Tier 3 supports include increasingly intensive interventions which are implemented on an individual basis and are guided from the data obtained while implementing the previous tiers of interventions. One such intervention within Tier 3 is a Behavior Intervention Plan (BIP) which is developed by conducting a Functional Behavioral Assessment (FBA).

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Examples of Tier III Interventions (but not limited to)

- Behavior Intervention Plan (BIP) based on Functional behavior Assessment (FBA)
- Individualized Student Choice Survey
- Individual counseling
- Behavioral contracts
- Self-monitoring chart
- Referral to community resources/agencies
- Restorative Conference
- Break or cool-down area or activity

Examples of Tier II Interventions (but not limited to)

- Group counseling sessions
- Social skills group
- Circles
- Daily check-in/check-out
- Peer monitoring
- Small impromptu conference

Examples of Tier I Interventions (but not limited to)

- Teach, re-teach, and review school and classroom expectations/rules
- Classroom token economy
- Positive communication home
- Provide frequent and immediate positive feedback
- Specific labeled praise (at least 4:1 ratio)
- Affective Statements
- Restorative Questioning

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Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP):

An FBA is an assessment that helps determine why a student engages in inappropriate behaviors and how the student's behavior relates to the environment. The FBA looks beyond the demonstrated behavior and focuses instead on identifying those factors that initiate, sustain, and/or promote the target behavior.

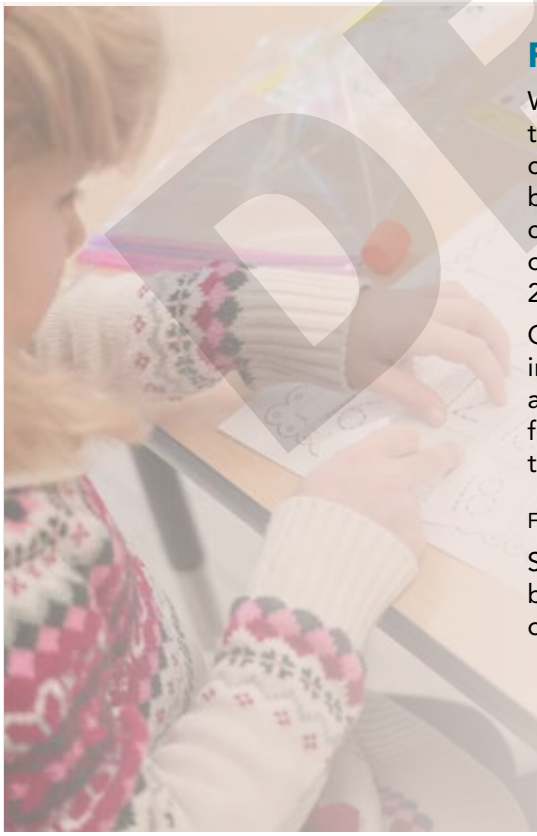
An FBA helps identify what function(s) the inappropriate behavior serves for the student and develop appropriate interventions geared toward reducing or eliminating the inappropriate behavior and replacing it with acceptable behavior that serves the same purpose or function. In conducting and reviewing an FBA, it is important to assess not only the behavior itself, but the consequences delivered for engaging in inappropriate behavior in order to help determine the function of the behavior (see Functions of Behavior below).

An FBA is considered when:

- the student exhibits persistent behaviors that interfere with his or her learning or that of others, despite consistently implemented school-wide or classroom-wide interventions;
- the student's Individual Education Plan (IEP) indicates behaviors that interfere with his or her learning or that of others;
- the student exhibits behavior that places him/her or others at risk of harm or injury;
- the student is being initially referred to the Committee on Special Education (CSE) due to behavior concerns;
- the CSE is considering more restrictive programs as a result of the student's behavior;
- the student has a high number of in-school referrals and/ or out-of-school suspensions; and/or
- the school manifestation team determines that a student's behavior which warrants a suspension or removal from school in excess of 10 consecutive school days or would otherwise constitute a disciplinary change in placement was a manifestation of the student's disability

Once a formal FBA has been conducted, the data and information gathered during the FBA is used to develop a Behavior Intervention Plan (BIP). A BIP is a specific plan of action designed to teach the student how to engage in appropriate behavior in place of the inappropriate behavior the student currently exhibits. In order for the plan to be effective, it is important that the appropriate replacement behaviors meet the same function or purpose as the targeted inappropriate behaviors. The BIP should also identify environmental factors that contribute to the inappropriate behavior and attempt to modify the environment so that it no longer reinforces and/or promotes the inappropriate behavior.

In order to determine the effectiveness of a BIP, school staff will progress monitor the frequency and/or duration of the targeted inappropriate behavior in order to determine if there is a reduction in the inappropriate behavior(s) and an increase in the appropriate behavior(s).



Functions of Behavior

When interventions and consequences are delivered without considering the purpose of the behavior (function), there is a chance the intervention or consequence may inadvertently maintain or strengthen the inappropriate behavior. Therefore, whenever staff is developing interventions or delivering consequences for inappropriate behaviors, they should consider the function of the problem behavior, The four main functions of behavior are: 1) **Sensory**; 2) **Escape/Avoidance**; 3) **Attention**; and 4) **Tangible**.

Once the function of behavior is determined, staff should develop interventions and deliver consequences that teach/reinforce a socially appropriate alternative to the inappropriate behavior which serve the same function for the student, reinforce the replacement behavior and extinguish the inappropriate behavior.

FOR EXAMPLE:

Sally is calling out of turn in class. One of the possible functions of this behavior may be to obtain attention from the teacher, The interventions and/ or consequences can include:

1) teaching Sally to raise her hand to obtain teacher attention;
2) providing Sally with reinforcement when she raises her hand to obtain teacher attention;
3) not allowing Sally to gain teacher attention when she calls out.

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School-based Pupil Support Teams:

Each building has a multidisciplinary team, or Pupil Support Team (PST), that, when necessary, will meet to identify whether additional interventions within the three-tiered RtI framework are required for a particular student. The Pupil Support Team may include the parent, guidance counselor, social worker, school psychologist, classroom teacher, related service provider(s) (speech therapist, occupational therapist, and physical therapist), nurse, and/or school administrator(s). When a student is not responding to Tier 1 or Tier 2 interventions, the PST will hold a meeting to discuss the student and make recommendations for more intensive Tier 3 intervention(s)

and will ensure that the student's parents are aware of the recommended interventions. Also, families may enlist the aid of the pupil support staff to help them contact and connect with the many private and public agencies available to help address inappropriate behavior outside of school. Please refer to the Resource section for a list of community and school-based programs that may be available

Restorative Responses for Challenging Behaviors

The primary goal of the Yonkers Public Schools is to provide excellent educational programs so that all students have the opportunity to achieve academic success and social-emotional well-being. The Board of Education and Superintendent of Schools strive to provide all students with a school environment that values the diverse family cultures, languages, interests, viewpoints, and performance levels of all students. The Yonkers Public Schools is committed to using restorative practices and programing that promotes social-emotional learning, fosters interpersonal and intergroup relationships, supports self-discipline and strives to prevent, reduce, and/or change inappropriate behaviors.

The Board of Education recognizes that in utilizing restorative practices and programing which promote social-emotional learning, school personnel must recognize that students are an essential asset to, and a resource in, establishing and sustaining safe and supportive schools. They must be mindful of the need to believe in students, even when they may have engaged in inappropriate behavior. It is of the utmost importance that school personnel, parents, and students alike invest in relationships that develop trust and fairness to foster an inclusive school culture.

Restorative practices is not a program or curriculum. It is a shift in mindset and a shift in the way we react to situations and communicate with others. The chart below illustrates this shift in mindset.

A restorative approach to discipline changes the fundamental questions asked following a behavioral incident. Instead of asking who is to blame and how to punish those engaged in the behavior, the following four Restorative Questions are asked:

- **What happened?**
- **Who was affected or harmed by the behavior?**
- **What impact has this incident had on you and others?**
- **What needs to be done to make things right?**

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YPS is committed to continuing on the journey of becoming a restorative justice school district. Below are examples of restorative responses to address challenging behaviors for students.

	TRADITIONAL APPROACH	RETORATIVE APPROACH
The role of authority	Establish which rules have been broken and who is to blame	Facilitate relationships, build community, and promote shared agreements
Students are expected to...	Comply with authority figures in pursuit of personal achievement	Be empathic responsible members of a learning community with established shared agreements rooted in collected values
Relationships are...	Secondary to academic achievement and dependent upon a child's desire to have a relationship	Fundamental to all meaningful learning
In response to harm, the focus is on...	Placing blame and assigning punishment in response to rule violations	Helping students accept personal responsibility by understanding the impact of actions and repairing the harm caused
Conflict is...	A barrier to learning and an interruption to teaching, and should be resolved immediately or avoided	An opportunity to teach empathy, learn from our mistakes, and strengthen existing relationships
Change is expected to be...	Immediate	A process that takes patience and time

RESTORATIVE RESPONSES	RESTORATIVE STATEMENTS	RESTORATIVE QUESTIONS
A restorative verbal response works to build, maintain, and repair relationships. Restorative responses are: • Focused on care for the other person • Empathetic • Calm • Done at eye level	Restorative statements may: • Express impact of behavior • Express notices	Restorative questions: • Are open-ended • Demonstrate genuine interest and curiosity • Seek to understand others' perspectives

Restorative Conversations

- Rooted in questions and empathetic listening; prompt reflection and empathy
- Help to build, maintain, and/or repair relationships
- If repairing relationships, they help everyone understand how a relationship was harmed, what the impact was, what the needs are, and how to repair that relationship

Restorative Redirection and Support Strategies

Restorative redirection and support offer high support and high accountability. When providing redirection and support restoratively, we operate from a restorative mindset, meaning we:

- Believe that conflict is normal and offers an opportunity to learn and grow
- View the behavior within the context to identify unmet needs (e.g., student has been sitting too long for instruction and needs movement) Separate the action of the person from the behavior (i.e., a child is not bad but may make a bad choice)

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Restorative Consequences

- Are unique because they are created by asking those involved in the incident/conflict how to repair the harm and/or the relationship
- Separate the behavior from the person
- Are created through a restorative practice such as a restorative conversation, re-entry conversation, or a circle
- Are created by learning how those involved in the incident or conflict can best repair the harm and are rooted in the needs of the person harmed
  - **How do you think you can make this right?**
  - **What do you need to move forward?**
  - **Would you like any support?**
- Are related to the specific harm caused by the incident or conflict; for example, by contrast, suspension does not relate to damaging property
- Allow the individual to understand how their actions impact others in order to maintain and repair relationships and strengthen own social awareness

EXAMPLES OF RESTORATIVE CONSEQUENCES	
Arguing	Challenging staff member direction or request, going back and forth with staff member or another student. Staff members needing to continually explain, justify, and repeat directions to a specific student.
Restorative/ One-on-One Conversation	*Talk to students individually:* *"I value your thoughts, so let's sit down and figure out how to make this work."* *"When you are ready to talk calmly, let's build and make this better."* *"What's going on that you are not following the plan? How can I help you be successful? Because I care about you and I have faith you can do this."* *"Do you like to argue.? How do you feel when you argue? I feel ____ when we argue."* *"I know there are gifts and talents in everyone, and arguing doesn't help us get to a good place."* *"When I ask you to do something, I feel like all you have to say is 'OK'. Can you try that or there a short response you prefer today that shows you understood me?"* *"Let's rewind and try it again."*
2x10 Relationship Building	Praise 5:1 Increase praise when being cooperative. **Mindfulness:** Allow the student the opportunity to catch their breath, "take 5", or engage in any other mindfulness practice to best respond in the situation. Discuss self-regulation techniques with the students so they can work to communicate their needs calmly in the future. **Self-monitoring:** Students track when they find themselves arguing with a peer or staff member. Goal set for the number of incidents, etc. **Rewind:** *"When I ask you to _____, all you have to do is _____. Let's rewind and try again because I care about you and have high expectations for you."* **Antiseptic Bounce:** Please take this note to _____. Have the note ask them to compliment the student. Perhaps talk when they return using restorative conversation (above). Option: Could have this letter ready to go, folded, and stapled.
Restorative Consequence	Students spend time in the classroom providing a service in the clasroom or students they were arguing with. Write down phrases they could say to the adult or student that are respectful and the student is comfortable using and/or create a nonverbal gesture with the student to remind the student of the new modfe/tone of communication. Meet with support staff to consider how to self-regulate.

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Continuum of Restorative Practices

AFFECTIVE STATEMENTS:

Daily use of "I" statements are used to express feelings about how the behavior of others affects students, parents, and staff. This practice humanizes how individuals perceive one another, promotes responsibility, and encourages care in the relationship-building process.

AFFECTIVE QUESTIONS:

Daily use of affective questions helps students, parents, and staff think about conflict as an opportunity to foster learning and build relationships. Students must be held accountable and responsible for their behavior. Separating the deed (student's action/behavior) from the doer (the student) is the beginning of a restorative process.

SMALL IMPROMPTU CONFERENCE:

The use of this restorative practice can help address conflict, prevent it from escalating, and lead to prompt resolutions. During these conferences, the student(s) will actively engage in expressing their feelings and think about the impact of their behavior and how to resolve the problem.

CIRCLES (GROUPS):

The use of circles allows staff to sit with students in an effort to enhance the quality of their relationships, create classroom norms, and develop a proactive process for preventing and solving conflict. In order for circles to be effective, they must be engaging and require participation, ownership, and commitment from the entire school community including students, parents, and staff.

RESTORATIVE CONFERENCE:

Restorative Conferences are formal responses to inappropriate behavior. At such a conference, all those involved and affected by an incident should participate. The conference is led by a trained facilitator who will help the participants explore what happened, determine who was affected, and decide on an appropriate response which will best repair the harm done. One of the goals of the conference is to raise peoples' consciousness by sharing in the problem so that students, parents, and staff can be responsive and resourceful in preventing and resolving conflict.

Examples of restorative consequences that may be considered "outside the box" could include researching a rule that was broken; designing posters, pamphlets, a video, etc., for others in the school community about appropriate versus inappropriate social media use; or creating a survey to administer to others about ways they have been harmed by social media.



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ALTERNATIVES TO SUSPENSION

There are alternatives to suspension which may create a more equitable, effective, and supportive learning environment that fosters positive student behavior, promotes academic success, and reduces the negative consequences associated with exclusionary disciplinary practices. This involves shifting the focus from solely punishment to understanding, addressing, and preventing the root causes of misbehavior.

I. **DETENTION** – Teachers, principals, and the Superintendent may use after-school detention to respond to inappropriate student behavior in situations where removal from the classroom or suspension would not be warranted. Detention will be given only after the student's parent has been notified to confirm that there is no parental objection to the consequence and the student has appropriate transportation home following detention. During detention, students are kept after school hours, during lunch, or other specific time to reflect on their behavior without the student missing instructional time. Detention intervention strategy should be tracked in PowerSchool.

II. **STUDENT REMOVAL FROM THE CLASSROOM** – A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. Examples of such disruptive behavior include, but are not limited to:

- repeated and/or severe instances of speaking disrespectfully to the teacher or others
- making inappropriate gestures
- repeatedly leaving his/her seat without permission
- having physical contact with another
- throwing items.

In many instances, the teacher can respond to a student's behavior while maintaining order in the classroom by using effective classroom management techniques and Restorative Practices such as:

- affective statements,
- affective questions,
- small impromptu conferences,
- use of redirection prompts and reminders, and/or
- any other techniques the teacher considers effective to support the student's re-engagement.

Teachers should do their best to attempt to redirect inappropriate behavior through interventions other than removal. However, if the student's behavior jeopardizes safety in the classroom or if, after other interventions have reasonably been exhausted, the student's behavior is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, the Code of Conduct and New York State law allow for student removal from the classroom.

If a student is removed because he or she is thought to be under the influence of alcohol or other mood, mind, or performance-altering substances, the student must be escorted by a staff member to the nurse, and school administration must be notified immediately. If it is determined that the student is under the influence, the Code of Conduct will be applied, and the student will be referred to appropriate counseling.

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Teacher Disciplinary Removal of Disruptive Students (Level II Infraction)

A student's behavior can affect a teacher's ability to teach, making it difficult for other students in the classroom to learn. In most instances, the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques and restorative practices. These techniques may include practices that involve the teacher directing a student to take a "time-out", allowing the student to regain his or her composure and self-control, or asking a Pupil Support Team member or administrator to see the student. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who substantially disrupts the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or interference with a teacher's authority occurs when a student is unwilling to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may request to remove a substantially disruptive student from class. The removal applies to the removing teacher's class only. On the elementary level, this applies to the specific subject area only.

The principal or designee will require the teacher who ordered the removal to attend the informal conference.

If the student denies the charges at the informal meeting, the teacher or the principal must explain why the student was removed and give the student and the student's parent(s) a chance to present the student's explanation of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

The principal or designee may reverse the removal of the student or take further action if he or she finds any one of the following:

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law, including the District's Code of Conduct.
3. The conduct warrants suspension from school pursuant to Education Law §3214.

The principal or designee may overturn a removal at any point between receiving the student removal form issued by the teacher and the close of business on the day following the conference. No student removed from the class will be permitted to return to the class until the principal makes a final determination, or the period of removal expires, whichever comes first.

The removing teacher will give any disruptive student removed from the classroom equivalent instructional material until he or she is permitted to return to the classroom.

Each teacher must keep a file containing a copy of each disciplinary removal form.

Removal of a student with a disability under certain circumstances may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

III. **IN-SCHOOL SUSPENSION (ISS)** – is a disciplinary measure used by schools as an alternative to out-of-school suspension (OSS). Instead of sending a student home, ISS involves removing them from their regular classroom setting and placing them in a supervised, separate area within the school building for a specified period.

Key Characteristics of ISS:

- Supervised Setting: Students in ISS are monitored by school personnel, which could be teachers, administrators, counselors, or designated staff.
- Academic Work: The expectation is usually that students in ISS continue to work on their regular class assignments. The level of academic support provided can vary.
- Isolation: Students are typically kept separate from the general student population to limit distractions and prevent further disruption.
- Behavioral Reflection: ISS is often intended as a time for students to reflect on their behavior and understand the consequences of their actions. Some programs may incorporate activities focused on social-emotional learning or problem-solving.
- Duration: The length of an ISS placement can range from a few hours to a full school day or multiple days, depending on the severity of the infraction and school policy.

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RATIONALE FOR USING ISS:

- **Alternative to Exclusion:** ISS aims to provide a consequence for misbehavior without completely removing the student from the educational environment, thus minimizing lost instructional time compared to OSS.
- **Maintaining School Safety:** It allows for the removal of a disruptive student from the classroom while still ensuring they are in a supervised setting.
- **Reducing OSS Rates:** Schools may use ISS as a strategy to lower their out-of-school suspension numbers, which have been linked to negative student outcomes and equity concerns.
- **Opportunity for Intervention:** Ideally, ISS can provide a chance for school staff to address the underlying causes of a student's behavior through counseling, reflection activities, or check-ins.

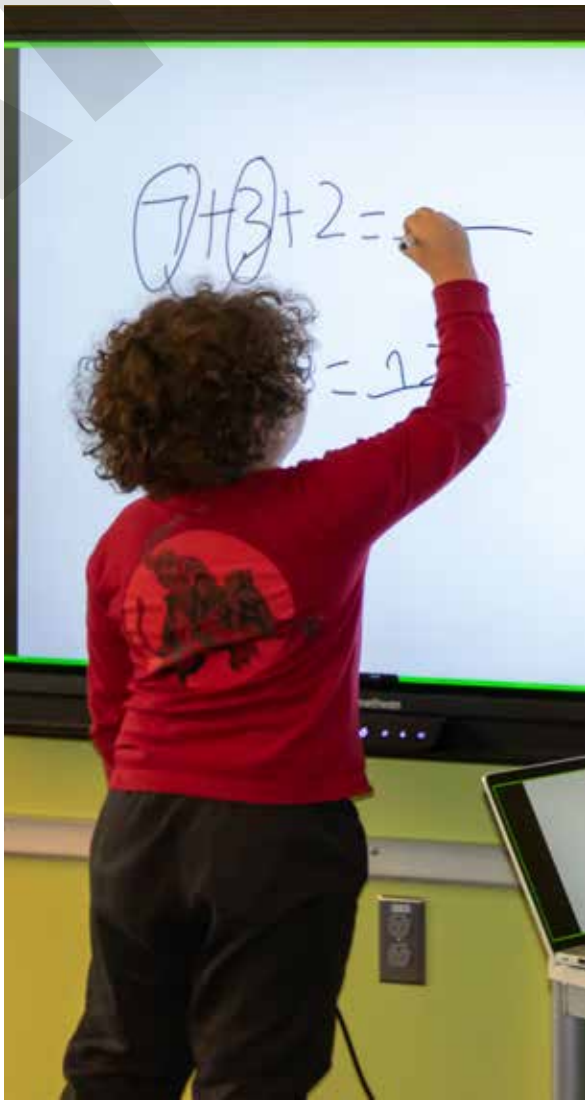
BENEFITS OF ISS:

- **Keeps Students Academically Engaged:** Students are expected to continue their schoolwork, reducing the academic disruption associated with OSS.
- **Maintains School Connection:** Students remain within the school environment, potentially lessening feelings of alienation.
- **Provides Supervision:** Ensures the student's whereabouts and safety during the disciplinary period.
- **Opportunity for Reflection:** Can offer a structured time for students to think about their actions.
- **May Deter Future Misbehavior:** For some students, the isolation and structured environment of ISS can be a deterrent.
- **Can Identify Underlying Issues:** Qualified staff supervising ISS may have the opportunity to identify potential learning disabilities or behavioral issues.

BEST PRACTICES FOR IMPLEMENTING ISS:

For ISS to be a more effective alternative to OSS, schools should:

- **Provide Clear Guidelines and Expectations:** Students should understand the behaviors that can lead to ISS and the rules while in ISS.
- **Meaningful Activities:** Beyond just completing assignments, ISS should incorporate activities that promote reflection, social-emotional learning, and skill-building.
- **Academic Support:** Ensure students receive appropriate support to understand and complete their work.
- **Behavioral Intervention:** Use the time in ISS to address the reasons for misbehavior through counseling, problem-solving, or restorative practices.
- **Consistent Application:** Apply ISS fairly and equitably across all student groups.
- **Parental Involvement:** Communicate with parents/guardians about the ISS placement and the reasons for it.
- **Data Collection and Evaluation:** Track the effectiveness of ISS in reducing misbehavior and improving student outcomes.



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IV. BEHAVIOR CONTRACTS: Create an agreement between student, parent, and school outlining expectations and consequences for specific behavior.

V. CLASSROOM ADJUSTMENT: Implement changes in classroom environments or teaching methods to better engage students and deter inappropriate behavior.

VI. ALTERNATIVE LEARNING ENVIRONMENT: Offer different setting or program tailored to the student's needs and behavior.

VII. RESTORATIVE PRACTICES: Facilitate conversations when concerning behavior arises to promote understanding and accountability.

- Counseling Sessions
- Restorative Circles/ Peer Mediation
- Parent/ Guardian Involvement
- Positive Reinforcements

VIII. REFERRALS: Offer access to available resources and programs within Yonkers Public Schools or through their partners, that can be beneficial to students' growth:

- ASAP Diversion Program
- Extra-curricular Activities: Clubs/Sports
- My Brother's Keeper
- My Sister's Keeper
- Yonkers Police Cadets
- Yonkers Youth Court



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TRANSPORTATION CONDUCT

Good conduct is important to bus safety. If a student engages in inappropriate behavior or misconduct on a bus or other vehicle funded by the Yonkers Public Schools, the driver is expected to inform the company dispatcher who then informs the District's Transportation Department and the building administrator.

Students are expected to follow these rules:

- Remain orderly when getting on and off the bus.
- Obey the bus driver and/or bus monitor at all times.
- Go directly to your seat and remain seated.
- Always keep your hands, head, and feet inside the bus.
- Never throw objects out of bus windows.
- Fighting or pushing on the bus is prohibited.
- Avoid talking loudly or making loud noises. Noise may distract the driver and cause an accident.
- Use of profanity is not allowed on the bus.
- Keep books, lunches, and coats out of the aisles.
- Use the emergency door only in emergency situations.
- Eating, drinking, and smoking are not allowed on the bus.
- Tampering with the bus or its equipment is not allowed.
- Animals, glass, or dangerous objects are not allowed on the bus.

Consequences

If a child's behavior jeopardizes the safety of students or staff on the bus, they may have their riding privileges suspended by the building principal, the Superintendent or his/her designee. In such cases, the student's parent will be responsible for seeing that his or her child gets to and from school safely.

Should the suspension from transportation amount to a suspension from school due to the distance between home and school and the unavailability of an alternative public or private means of transportation, the District will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing under Education Law §3214. However, the student and parent(s) will be provided with a reasonable opportunity for an informal conference with the building principal to discuss the inappropriate behavior and the assigned responses.

Parent Guidelines for Bus Service

The following guidelines will help parents/guardians address any issues with bus service.

- Contact the Transportation Department to request a bus stop or route change. Do not ask the bus driver to change stops or routes.
- Parents are not allowed to board the bus without permission.
- Never board the bus to resolve conflicts. Contact your child's school or the Transportation Department if a problem arises, whether it is with the bus company, the driver, or the riders. Do not confront the driver or riders.
    - Any physical or verbal confrontations between parents, bus drivers, bus monitors, and/or children may result in suspension of riding privileges, at the discretion of the building principal, the Superintendent, or his/her designee.
- Children under the age of 8 and children who receive IEP transportation accommodations, regardless of age, must have an adult guardian with them at the bus stop in the morning and afternoon. Parents unable to meet stop times should contact the transportation department and not ask bus drivers to release underage children without adult supervision.

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Video Cameras on Buses

Video cameras are installed on school buses serving Yonkers Public Schools for the purposes of providing safe transportation of students and reducing disciplinary problems. Videos shall not be available for viewing by unauthorized individuals.

The Director of the Transportation or his/her designee shall determine who is authorized to view the video for the purpose of documenting an incident and determining who may be involved. Disciplinary action, in accordance with the district's discipline policies and procedures, may be taken against a student or staff based on video documentation. In certain cases, the isolated segment of the video that documents the incident for which the student is being disciplined may be viewed by the identified student and his/her parent(s) or guardian(s).

Conduct on Bee-Line County Transit System Buses

Students riding Bee-Line Public Transit System buses are expected to behave according to bus ridership rules. Misconduct on public buses may result in an investigation, disciplinary hearing, and confiscation of the YPS-issued Metro-Card



Minimum Length of Suspension from School

The minimum length of suspension is two days for any student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority in the classroom. This is defined as engaging on four or more separate occasions during a semester in conduct that results in removing the student from the classroom. However, the principal or Superintendent may reduce the minimum suspension period on a case-by-case basis to be consistent with state and federal law.

The minimum suspension period is five days for any student who:

(1) commits an act of violence upon a teacher administrator or other school employee;

(2) commits, while on school district property, an act of violence upon another student or any other person lawfully upon said property;

(3) possesses, while on school district property, a gun, knife, explosive, incendiary bomb, or other dangerous instrument capable of causing physical injury or death;

(4) displays, while on school district property, what appears to be a gun, knife, explosive, incendiary bomb, or other dangerous instrument capable of causing death or physical injury;

(5) threatens, while on school district property, to use any instrument that appears capable of causing physical injury or death;

(6) knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other school district employee, or any person lawfully upon school district property; or

(7) knowingly and intentionally damages or destroys school district property. The principal or Superintendent may reduce the minimum suspension period on a case-by-case basis to be consistent with state and federal law.

The Federal Gun-Free Schools Act requires that any student who is determined to have brought a firearm to school be suspended for a period of not less than one calendar year, but the superintendent may modify this suspension requirement on a case-by-case basis, subject to review by the Board of Education and the Commissioner of Education. For purposes of this provision, the term "firearm" is defined in 18 U.S.C. § 921. It includes any weapon that can expel a projectile by the action of an explosive and/or any destructive device, which includes explosives, incendiary devices, and poison gas. The superintendent must also refer a student under the age of 16 who has been determined to have brought a weapon or firearm to school to the Westchester County Law Department for a juvenile delinquency proceeding under article three of the Family Court Act, unless the student is 14 or 15 years of age and qualifies for juvenile offender status under section 1.20(42) of the Criminal Procedure Law. The superintendent must refer any student 16 years of age or older or a student 14 or 15 years of age who qualifies for juvenile offender status and who has been determined to have brought a weapon or firearm to school to the appropriate law enforcement officials.

SHORT TERM (Five Days or Less)

When the principal proposes to suspend a student for inappropriate behavior for five days or less pursuant to Education Law §3214 and in accordance with this Code of Conduct, he or she must:

- Immediately meet with the student to inform him or her of the proposed suspension and discuss the alleged incident. If the student denies the misconduct, the principal must provide an explanation of the basis for the proposed suspension.
- must notify the student's parent by telephone of the proposed suspension.
- must also provide notice to the student's parent in writing.
    - 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 parent.
    - notice must provide a description of the student's misconduct and the incident for which suspension is proposed and inform the parents of their right to request an informal conference to be held with a school administrator.
    - Both the notice and informal conference will be in the primary language used by the parent(s).

The notice and opportunity for an informal conference will take place prior to the student's suspension, unless the student's presence in the school poses a continuing danger to persons/ property or an ongoing threat of disruption in school. If the student's presence does pose such danger or threat of disruption, the student may be immediately suspended and the notice and informal conference will occur as soon as reasonably possible. After the conference the principal will promptly advise the parents of his or her decision in writing.

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What are the short-term one to five days out-of-school suspension procedures and timeline?

BY END OF DAY OF INCIDENT NOTIFICATION	WITHIN 24 HOURS OF INCIDENT NOTIFICATION	STUDENT'S RETURN TO CLASS	
ADMINISTRATIVE DETERMINATION AFTER INCIDENT NOTIFICATION OCCURS	**SUSPENSION DOCUMENTATION**	**RE-ENTRY AND INTERVENTIONS**	**APPEAL TO SUPERINTENDENT**
• Administrator investigates the incident, gathers the facts and speaks with student and staff to determine whether a suspension is warrented. • If a suspension is proposed, the Administrator will discuss the reasons with the student. • Prior to the proposed suspension, the parent must be notified of his/her right to request an informal conference with the principal. The conference would be to discuss reasons for the proposed suspension, review the evidence collected, assign interventions and propose next steps to resolve the problrm and restore the relationship,	Suspension documentation includes: • Letter of notification of suspension and number of assigned days • Summary of evidence including description of inappropriate behavior, incdent report, statements and any other relevant materials of testimony. • Recommended interventions provided by the Pupil Support team during or after suspension. • Evidence of alternative instruction for the duration of the suspension. Suspension documentation will be maintained in the student's electronic file and, if required by the Code of Conduct or law, copied to the appropriate Assistant Superintendent.	• All schools must have a re-entry conference with the returning student and parent. The purpose of the conference is to discuss the next steps to resolve the problem and restore the relationship. • There will be an opportunity for a separate restorative meeting which may include staff and/or students affected by the incident. • Students may require additional interventions to address the behaviors that resulted in the suspension.	Parent can file a written appeal to the Superintendent within TEN business days of the suspension. The Superintendent will issue a written decision regarding the appeal within ten business days of receiving the appeal. (See Appeal Process)

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Appeal Process

An appeal of the decision of the principal may be taken to the Superintendent of Schools. All appeals to the Superintendent of Schools must be in writing and submitted within ten business days, unless the parent(s) can show that extraordinary circumstances prevented them from doing so.

The Superintendent of Schools will issue a written decision regarding the appeal within ten business days of receiving the appeal.

If the parent(s) are not satisfied with the Superintendent's decision, they may appeal to the Board of Education. All appeals to the Board must be in writing and submitted to the secretary to the Board within thirty business days of the date of the Superintendent's decision, unless the parent(s) can show that extraordinary circumstances prevented them from doing so. Final decisions of the Board may be appealed to the New York State Commissioner of Education within thirty days of the decision.

LONG TERM (More than Five School Days)

The Yonkers Public Schools is committed to limiting the use and length of long-term suspensions. However, if a student's inappropriate behavior is identified as a Level 4 violation, a long-term suspension may be warranted.

- No student may be suspended for a period in excess of five school days unless the student and the student's parents have had an opportunity for a fair hearing.
- If a principal determines that a suspension of more than five days may be appropriate, he or she must submit a request to the Superintendent that a hearing be held in compliance with Education Law §3214.
- If the Superintendent approves the request, the District will provide the student and his or her parent with reasonable notice of the hearing and a Superintendent's Hearing will be held.

Superintendent Hearing

- Notice will be sent to the parent(s), including a description of the incident for which suspension is proposed and the date when the hearing will take place.
- At the hearing the student has the right to be represented by counsel, question witnesses against him or her, and present witnesses and other evidence on his or her behalf.
- The Superintendent may personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing.
- A record of the hearing will be maintained, but no stenographic transcript will be required. A digital or tape recording will be deemed a satisfactory record.
- The hearing officer will make findings of fact and recommendations as to the appropriate disciplinary responses and/or interventions to the Superintendent.
- The report of the hearing officer is advisory only, and the Superintendent may accept or reject all or any part of the recommendation.
- The Superintendent will provide the student and his or her parent(s) with a final written decision.

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What are the long-term suspension and hearing procedures and timeline?

If the student's inappropriate behavior is identified as a Level 4 violation, a long-term suspension of more than five days may be needed. All procedures required for assignment of a short-term suspension must be followed before a long-term susopension can be recommended, the following procedure and timeline must be followed:

WITHIN FIVE DAYS OF START OF FIVE-DAY SUSPENSION	WITHIN 48 HOURS OF RECEIVING HEARING REQUESTS	WITHIN FIVE DAYS OF STUDENT'S INITIAL SUSPENSION	
SUPERINTENDENT'S HEARING REQUEST FROM SCHOOL	**SUPERINTENDENT DECISION AND PARENT NOTIFIATION**	**SUPERINTENDENT'S HEARING**	**RE-ENTRY AND INTERVENTIONS**
Principal submits the following documentation: • Superintendent Hearing Request Form • Summary of evidence, including descriuption of inappropriate behavior, incident report, witness statements and any other relevant materials or testimony. • Suspension letter sent to parent • Recommended interventions during or after suspension. Parent must be informed by telephone and in writing of a principal's intent to request a long-term suspension. Communication must inform parent that they can request a conference with the principal to discuss reasons for extending the suspension.	• After review of hearing request information Superintendent or designee approves or denies hearing request for long term suspension. • If hearing request is approved, the principal must send a written notice to participate in a Superintendent's hearing to parent by certified mail within 48 hours of receiving hearing request documentation. • Written notice must include time date and location of Superintendent's Hearing description of alleged inappropriate behavior and description of incident in students actions. • Written notice must also inform the parents of their due process rights such as parent's and student's right to be represented by counsel, the right to present evidence,e and the right to question witnesses.	• Participants include, but are not limited to, Hearing Officer, administrator from student's school, student and parent and any witnesses requested by the school, student or parent. (If a teacher is present, they have the right to request union representation). • The hearing officer decides whether the allegation is founded or unfounded during phase one of the hearing. • The charge is founded, the capital Hearing Officer recommends the consequences and interventions to be assigned during phase two of the hearing. • Superintendent will make a final decision and notify the parent in writing.	• All schools must have a reentry conference with the returning student and parent. The purpose of the conference is to discuss the next steps to resolve the problem and restore the relationship. • There will be an opportunity for a separate restorative meeting which may include staff and or students affected by the incident. • Students may require additional interventions to address the behaviors that resulted in the suspension.

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Appeal Process

An appeal of the decision of the Superintendent may be taken to the Board of Education. All appeals to the Board must be in writing and submitted to the secretary to the Board within 30 business days of the date of the Superintendent's decision, unless the parent(s) can show that extraordinary circumstances prevented them from doing so.

The Board will make its decision based solely upon the 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 New York State Commissioner of Education within 30 days of the Board's decision.

Permanent Suspension for Extraordinary Circumstances

A permanent suspension is the removal of a student from school, which is reserved for extraordinary circumstances in which a student's conduct poses a life-threatening danger to the safety and well-being of others lawfully on school property or attending a school function. This disciplinary response will begin on the incident date and last through the remainder of the school year. Students recommended for a permanent suspension are entitled to a Superintendent's Hearing. Following the hearing, the Superintendent will decide on the appropriateness of a permanent suspension. Students on permanent suspension shall receive alternative instruction as required by applicable law.

Expulsion

An expulsion is the permanent discharge from the Yonkers Public Schools of a student who has completed the school year in which he or she has turned 17 years of age. This disciplinary response will be reserved for extraordinary circumstances in which a student's conduct poses a life-threatening danger to the safety and well-being of others who are lawfully on school property or attending a school function. Students who are recommended for expulsion are entitled to a Superintendent's Hearing. Following the hearing, the Superintendent will make a final decision as to the appropriateness of expulsion.

REFERRALS
PINS PETITIONS

The District may file a Person in Need of Supervision (PINS) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
b. Engaging in an ongoing or continual course of conduct which makes the student unmanageable or habitually disobedient and beyond the lawful control of the school.
c. Knowingly and unlawfully possessing marijuana in violation of penal Law §221.05. A single violation of 221.05 will be a sufficient basis for filing a PINS petition

Suspension from Athletic Participation and Extra-Curricular Activities

A student who is suspended from athletic participation, extracurricular activities, or other privileges is not entitled to a full hearing under Education Law §3214. However, the student and the student's parent(s) will be provided with a reasonable opportunity for an informal conference with the school official imposing the suspension to discuss the inappropriate behavior and the assigned responses.

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DISCIPLINE OF STUDENTS WITH DISABILITIES AND STUDENTS SUSPECTED OF HAVING A DISABILITY

All students of the Yonkers Public Schools are expected to meet District standards outlined in this Code of Conduct.

When a student with a disability or suspected of having a disability violates the Code of Conduct, it is recognized

that it may be necessary to remove, suspend or otherwise discipline the student to address disruptive, violent or other inappropriate behavior. However, students with disabilities or those suspected of having a disability by law and regulation are entitled to procedural safeguards when disciplinary action is considered.

The procedural safeguards relating to the discipline of students with disabilities or those students suspected of having a disability require school personnel to consider all unique circumstances on a case-by-case basis when making a determination.

- The principal will review the student's Individualized Education Plan (IEP) in consultation with member(s) of the Student Support Team and the IEP Teacher.
- When the student's conduct is related to his or her disability, he/she will be treated in accordance with the IEP.
- When a student's conduct is found not to be related to his or her disability, the student will be subject to the same standards of discipline as those who do not have a disability.
- School Administrators or a designee will determine if there is a pattern of suspensions and monitor the total days of suspensions for all students with disabilities and those suspected of having a disability.
- If a student repeatedly engages in inappropriate behaviors, they will be referred to the Student Support Team. A Functional Behavioral Assessment (FBA) will be conducted and/or a Behavior Intervention Plan (BIP) will be developed and implemented whenever school-wide and classroom interventions have not been effective or when required by New York State Education Department (NYSED) regulations.

Special Rules Regarding the Suspension or Removal of Students with Disabilities

When suspending a student with a disability for disciplinary reasons, school administrators should begin by using the same due process procedures that are established for all students; however, after the fifth day of suspension, the IEP team must conduct a functional behavioral assessment (FBA) and implement a behavioral intervention plan (BIP) for the student. After the seventh day of suspension, the IEP team must meet to review and revise the FBA and BIP and implementation of the IEP and BIP. After the tenth day of suspension, students with disabilities have specific additional rights.

Prior to proceeding with a suspension for a student with a disability past the tenth day of suspension, the school administrator and specialized services regional manager must review all the suspensions for the student during the school year to determine whether a pattern of suspensions exists.

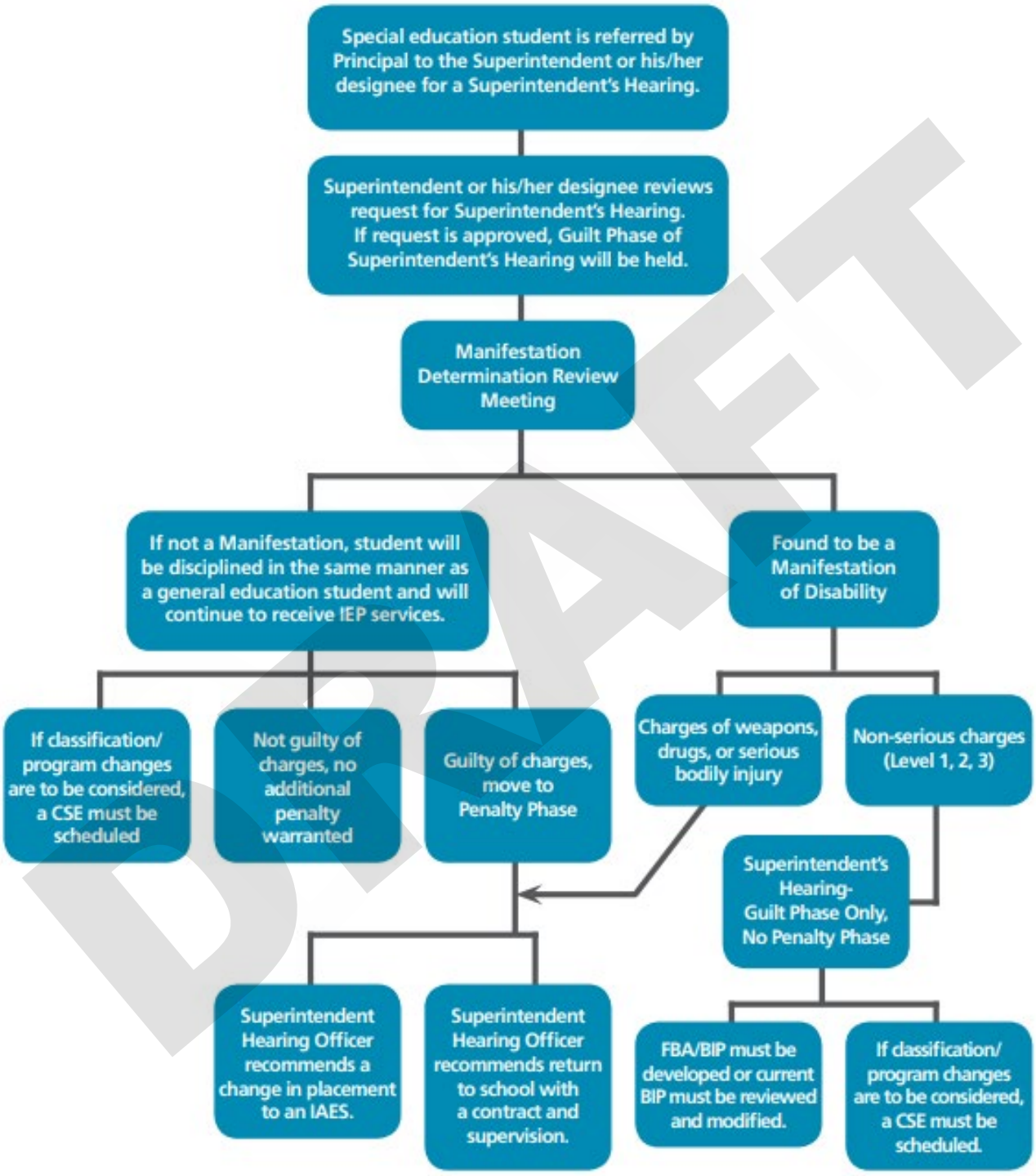
- If a pattern does not exist, school personnel must develop a plan to provide educational services on each day the student is to be suspended and may suspend the student. For §504/ ADA students, there is no obligation to provide services beyond the tenth day of suspension.
- If a pattern does exist and the proposed suspension would constitute a change of placement, prior to suspending the student, the IEP team must conduct a manifestation determination.
    - If the IEP team determines the behavior is not a manifestation of the student's disability, then school personnel must develop a plan to provide educational services on each day the student is to be suspended and may suspend the student.
    - If the IEP team determines the behavior is a manifestation of the student's disability, then the school administrator cannot suspend the student. The IEP team must also meet to review and revise the FBA and BIP and implementation of the IEP and BIP.

Because the manifestation determination is conducted in the context of an IEP or §504/ADA team meeting, parents have the right to request a due process hearing if they disagree with the outcome.

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PROCEDURES FOR A SUPERINTENDENT'S HEARING FOR A STUDENT WITH A DISABILITY OF A STUDENT SUSPECTED OF HAVING A DISABILITY

201.9(c) Procedures for suspensions of more than five school days (Superintendent's Hearings): Superintendent's Hearings on disciplinary charges against a student with a disability and a student suspected to have a disability for discipline purposes will be separated into a guilt phase and a penalty phase.



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WHERE AND WHEN DOES THE CODE OF CONDUCT APPLY:

The Yonkers Public Schools Code of Conduct applies as follows:

- In or on school district property
- At all school-sponsored events, regardless of location
- Traveling to and from school, including on buses
- While traveling in vehicles funded by Yonkers Public Schools
- Off school property when harassment, bullying, cyberbullying and/or discrimination could create a risk or threat of substantial disruption within the school environment.

EXPECTATION

Students are responsible for their own behavior and are expected to abide by the Code of Conduct and other school and classroom rules that help maintain a positive learning environment. Violations of the Code of Conduct that are dangerous, disruptive, or interfere with the ability to teach effectively will not be tolerated. Students have a right to learn, and teachers have a right to teach in a safe and orderly environment.

Students will:

- Follow all district policies and the rules of their individual schools and classrooms.
- Work toward academic achievement by attending school and classes regularly, bringing classroom materials and completing all assigned class work.
- Respectfully communicate with all staff members at all times.
- Respectfully resolve conflicts and disputes with others.
- Respect the rights and property of others while going to and from school, at all school-related activities, at bus stops, and on buses.
- Act responsibly with school property and replace or reimburse the school for lost or damaged school property, including books and equipment.
- Refrain from making threats of violence, joking about violence, or starting rumors of violence against the school, staff, or students; such actions will be quickly and thoroughly investigated.

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LEVELS OF INTERVENTION AND DISCIPLINE

LEVEL 1 **IN-SCHOOL INTERVENTION**	**Level 1 incorporates universal school-wide and classroom practices that promote the development and practice of pro-social behaviors, self-discipline, habits of learning, and healthy well-being. These behaviors can be addressed by teachers and any other school personnel. Through observation and immediate responses, teachers and staff aim to prevent minor discipline problems from becoming major disciplinary incidents.** At this level, the school staff conducts a conference with any combination of students, parents/ guardians, teachers, administrators, and support staff. The conference may result in a behavior contract with the student, a warning to the student and/or parent/ guardian, detention, removal from the classroom, or other action authorized by the school in compliance with school district policies and procedures. Balanced and restorative practices may be used where appropriate and approved by the school administration.
LEVEL 2 **UP TO 2 DAYS SUSPENSION**	**Level 2 misconduct includes student behaviors that interfere with the orderly educational process and can be addressed by teachers and other school personnel. This level encompasses more serious infractions or repeated instances.** At this level, aside from restorative practices and interventions, a student may receive detention, teacher removal from the classroom, or be issued a suspension period not to exceed 2 days. Parent/Guardian is notified of the suspension and expected to meet with a school administrator before the child returns to school.
LEVEL 3 **UP TO 5 DAYS SCHOOL/TRANSPORTATION SUSPENSION**	**Level 3 involves inappropriate behaviors that seriously impact school and classroom safety and order. Students experiencing high-risk or frequent behavioral, academic, social, and emotional concerns are assigned supervised, individualized interventions. Infractions at this level require the cooperative intervention of the parent, teacher, and school administration.** The resulting disciplinary action may include intervention, detention, removal from the classroom, or suspension not exceeding 5 days from school and/or transportation services. Parent/Guardian is notified of the suspension and expected to meet with a school administrator before the child returns to school.
LEVEL 4 **5 DAY SUSPENSION SUPERINTENDENT HEARING**	**Level 4 involves behavior that presents an imminent threat of serious harm to the school community, or seriously affects the safety of others in the school and/or the educational process.** The response administered for Level 4 violations is a 5-day suspension from school. A Superintendent Hearing may also be requested by school administration. Additionally, if warranted, the District may notify the Yonkers Police Department. Parent/Guardian is notified of the suspension and expected to meet with a school administrator before the child returns to school.

Suspension is defined as a temporary exclusion from the building and includes classes and all school-related activities held during school, after school, and on weekends.

All responses to inappropriate behaviors shall be delivered in an age appropriate manner and aligned with the levels listed. Interventions and discipline responses are to be documented and should be logged on the student's electronic file.

When appropriate, Administrators, Teachers, and Pupil Support Teams may choose to use a lower intervention or discipline level. School staff should strive to utilize the least punitive responses they believe will properly address the student's inappropriate behavior. Interventions will be progress-monitored and adjusted based on student response

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LEVEL 1 BEHAVIORS

CLASSROOM INTERVENTIONS AND RESPONSES: These interventions aim to teach appropriate and responsible behaviors so students can learn and demonstrate safe and respectful academic, social, and emotional behavior. Teachers must try a variety of teaching and classroom management strategies. Teachers are expected to collaborate effectively and report concerns to support staff. For repeated Level 1 behaviors, refer to the possible interventions outlined in RtI practices.

Examples of possible Level 1 classroom interventions and responses:

- Use affective statements
- Use affective questions
- Establish relationship with student
- Give positive directives that state expectations
- Give positive and specific feedback
- Use pre-teaching, re-teaching, and rehearsal of skill or procedure
- Increase opportunity to respond during instruction
- Increase teacher proximity
- Provide verbal prompt, redirection, and/or correction
- Give reminders and redirection
- Hold Student/Teacher small impromptu conference
- Develop relationship with families
- Hold a family conference
- Keep daily progress sheets on behavior
- Create a classroom check-in plan
- Use a reflection activity
- Apologize
- Use other evidence-based student specific strategies

Pupil Support Team (PST) Interventions and Responses: These interventions aim to engage the student's support system at school and home to improve the learning conditions contributing to the stu-dent's successful behaviors. They can involve school staff, parents, and community agency staff.

Examples of possible Level 1 PST interventions and responses:

- Reflection activity
- Check-In with school building staff
- Mentoring
- Peer mediation
- Mediated conflict resolution conference
- Referral to school-based health or mental health providers
- Service to the school community
- Referral to community organization
- Use of support staff
- Detention
- Teacher removal

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LEVEL 2 BEHAVIORS

Classroom Interventions and Responses: These interventions may be appropriate when support has been put in place to address behavior, but the behavior has become persistent and has continued to interrupt instruction. For repeated level 2 behaviors, refer to the possible interventions outlined in the RtI practices.

Examples of possible Level 2 classroom interventions and responses:

- Give positive directives that state expectations
- Give positive and specific feedback
- Pre-teach, re-teach, and rehearse skill or procedure
- Increase opportunity to respond during instruction
- Increase teacher proximity
- Use verbal prompt, redirection, and/or correction
- Remind and redirect
- Hold a student/teacher impromptu conference
- Use affective statements
- Use affective questions
- Develop relationships with families
- Hold a family conference
- Collaborate with family
- Keep daily progress sheets on behavior
- Create a classroom check-in plan
- Use reflection activity
- Try other evidence-based, student-specific strategies
- Use restitution/restoration strategies
- Collect progress monitoring data about the behavior and interventions attempted
- Refer to DASA coordinator
- Review cumulative folder and academic progress, create, implement, and monitor an academic plan.
- Collaborate with Pupil Support Team to build on student strengths
- Monitor all plans created and reevaluate as appropriate
- Provide peer mediation
- Conduct a community conference or network meeting
- Use conflict resolution

Administrative and Pupil Support Team Interventions and Responses: These interventions can involve support staff or administrative staff when needed and are designed to improve behavior by addressing the seriousness of the behavior while keeping the student in school.

Examples of possible Level 2 administrative and pupil support team interventions and responses:

- Use a reflection activity
- Check-In with school building staff
- Mentor
- Refer to school-based health or mental health providers, where available
- Refer to community organization
- Use the support staff root cause assessment
- Provide conflict mediation
- Hold an administrative and/or support team conference
- Mentor/Coach
- Conduct a Functional Behavioral Assessment (FBA)
- Create a Behavior Intervention Plan (BIP)
- Individualize case management for students with 504 plans or IEPs
- Refer to and coordinate with community-based supports when available
- Restrict extracurricular activities
- Give up to 2 days out-of-school suspension
- Detention
- Teacher removal

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LEVEL 3 BEHAVIORS

CLASSROOM AND PUPIL SUPPORT TEAM INTERVENTIONS AND RESPONSES: If a student is removed from the learning environment, teacher(s)/staff is expected to provide current assignments and materials to administration, and consider:

- Use affective statements
- Use affective questions
- Hold a student/teacher impromptu conference
- Collaborate with families
- Keep daily progress sheets on behavior
- Create a classroom check-in plan
- Collect progress monitoring data about the behavior and interventions tried
- Refer to DASA coordinator
- Review cumulative folder and academic progress and create, implement, and monitor an academic plan
- Monitor all plans created and reevaluate as needed
- Initiate a student-centered discussion about the inappropriate behavior incident
- Create, implement, and monitor a transition plan for student returning to the classroom
- Hold a restorative circle
- Prepare the class for the student's return

For repeated level 3 behaviors, refer to the possible interventions outlined in the RtI practices.

Administrative and Pupil Support Team Interventions and Responses: An administrator must be directly involved throughout this process. 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.

Examples of possible Level 3 Administrative and Pupil Support Team interventions and responses:

- Conduct a Functional Behavioral Assessment (FBA)
- Create a Behavior Intervention Plan (BIP)
- Coordinate the delivery of student academic work provided by teacher(s)when student is removed from class
- Hold a restorative conference
- Make a referral to school-based health or mental health providers
- Reflection activity
- Hold an administrative and/or support team conference
- Mentor/Coach
- Individualize case management for students with 504 plans or IEPs
- Refer to and coordinate with community-based supports
- Hold a family/student/school team conference
- Refer to the student support team for behavior evaluation
- Request a behavioral support consultation from Pupil Support Team for explosive/violent incidents
- Request support from local/county crisis team for explosive/violent incident
- Detention
- Teacher removal
- Give up to 5 day out-of-school suspension
- Give up to 5-day suspension from transportation

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LEVEL 4 BEHAVIORS

CLASSROOM AND PUPIL SUPPORT TEAM INTERVENTIONS AND RESPONSES: If a student is removed from the learning environment, teacher(s)/staff are expected to:

- Provide current assignments and materials to administration
- Initiate a student-centered discussion about the inappropriate behavior incident when appropriate
- Assist in creating, implementing, and monitoring a transition plan for a student returning to the classroom
- Hold a restorative circle when appropriate
- Prepare the class for the student's return

For repeated level 4 behaviors, refer to the possible interventions outlined in the RtI practices.

Administrative and Pupil Support Team Interventions and Responses: An administrator must be directly involved throughout this process. 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.

- Coordinate the collection of student academic work provided by teacher(s)
- Mediate conflict resolution conference
- Notify family of due process rights and informal conference with principal and student
- Refer to school-based health or mental health providers
- Request a consultation with Pupil Support Team for explosive/violent incident
- Conduct a Functional Behavioral Assessment and develop a Behavior Intervention Plan
- Individualize case management for students with 504 plans or IEPs
- Refer to and coordinate with community-based organization supports
- Give a 5-day out-of-school suspension
- Request a Superintendent's Hearing for long-term suspension/alternative placement
- Develop, implement, and monitor students' transition back to school
- Provide immediate written notification to the Superintendent or designee upon suspension For grades 3-12

Conduct a required manifestation hearing for students with IEPs before requesting a Superintendent's hearing

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MAXIMUM DISCIPLINE LEVELS FOR SCHOOL/CLASSROOM CONDUCT							
	DISCIPLINE (K-6)	**LEVEL 1**	**LEVEL 2**	**LEVEL 3**	**LEVEL 4**	**NOTIFY CENTRAL OFFICE**	**MAY CONTACT POLICE**
A.	**BEHAVIORAL MISCONDUCT – CLASS AND SCHOOL RULE VIOLATIONS**						
1.	Cheating, copying another's work, plagiarism	●					
2.	Changing/altering school records/documents	●					
3.	Failure to respond to school staff directives and/or comply with school rules, policies or procedures	●	●				
4.	Signing a parent's name on a school document without parent's consent	●					
5.	Leaving school or designated/assigned area without permission	●					
6.	Chronic cutting (missing the same class at least 5 times)	●					
7.	Running, excessive rough boisterous behavior or loitering in common areas (hallway, staircase) that interrupts instruction	●					
8.	Violating school district dress code	●					
9.	Violating bus safety rules (including but not limited to standing, pushing, throwing)	●	●				
10.	Unauthorized exchange of money or goods	●					
11.	Creating a cafeteria disturbance (food throwing, food fight)	●					
12.	Behavior that continuously disrupts instruction, safety or order within the school	●	●				
13.	Causing a large disruption that requires the initiation of an emergency management protocol			●	●	✓	✓
B.	**BULLYING, HARASSMENT, THREATS**						
1.	Verbal, physical, written and/or electronic communication that is threatening	●	●				
2.	Harassment, bullying (including cyberbullying) or hazing as defined in District Policy No. 0115		●	●			
3.	Bullying or harassment that results in life threatening physical harm to targeted person			●	●	✓	✓
4.	Sexual harassment (sexual advances, requests for sexual favors; other inappropriate verbal, written, or physical misconduct of a sexual nature)			●	●	✓	
5.	Sexual activity or sexual misconduct (indecent exposure, engaging in sexual activity, etc.)			●	●	✓	
6.	Distribution of pornography (including but not limited to sharing intimate images of another individual)			●	●	✓	
7.	Forced sexual act				●	✓	✓
8.	Obtaining money or property from another student through coercion, intimidation, or threat of physical harm		●	●			
9.	Using association with a group to intimidate or harass a student or staff member		●	●			
10.	Group activity that results in harm of self or others			●	●	✓	
11.	Making threats or providing false information about the presence of explosive materials or devices on school property			●	●	✓	✓

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MAXIMUM DISCIPLINE LEVELS FOR SCHOOL/CLASSROOM CONDUCT							
	DISCIPLINE (K-6)	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	NOTIFY CENTRAL OFFICE	MAY CONTACT POLICE
C.	FIRE, WEAPONS, AND HAZARDOUS MATERIALS VIOLATIONS						
1.	Attempting to start a fire		●	●			
2.	Starting a fire and/or destruction of property as a result of arson				●	✓	✓
3.	Intentional false activation of fire alarm			●	●	✓	
4.	Possession of weapon such as firearm, rifle, shotgun, pistol revolver, starter pistol, other firearms, explosives, or any object which is not necessary for school activities and could be used as a weapon				●	✓	✓
5.	Possession of a knife, box cutter, utility razor, linoleum cutter, dangerous chemical or any object which is not necessary for school activities and could be used as a weapon			●	●	✓	
6.	Threatening harm with a weapon or an object that can be used as a weapon			●	●	✓	
7.	Use of a weapon or an object that can be used as a weapon to inflict harm on a person				●	✓	
8.	Possession of fireworks, smoke or stink bombs, or any other pyrotechnic device, flammable materials, volatile chemicals, or any prank odor aerosols		●	●			
9.	Use of fireworks, smoke or stink bombs or any other pyrotechnic device, flammable materials or volatile chemicals			●	●	✓	
D.	PHYSICAL VIOLENCE & AGGRESSIVE MISCONDUCT						
1.	Unintentional physical contact with student or staff	●	●				
2.	Physical contact or altercation (including but not limited to fighting, poking, pushing/shoving, slapping, kicking)	●	●				
3.	Physical contact or altercation with injury		●	●			
4.	Physical contact or altercation resulting in injury that requires first responder intervention				●	✓	✓
5.	Physical altercation that requires the initiation of an emergency management protocol				●	✓	✓
E.	PROPERTY						
1.	Disrespecting the property of school or others	●	●				
2.	Defacing, vandalizing, or destroying property with graffiti or other means	●	●				
3.	Theft/burglary/robbery		●	●			
F.	SUBSTANCE USE AND INFLUENCE						
1.	Posession of illegal substance, unauthorized medication, alcohol, vape or drug paraphernalia		●	●			
2.	Use of illegal substance, unauthorized medication, alcohol, vape or drug paraphernalia			●	●	✓	
3.	Distribution and/or selling illegal substance, unauthorized medication, alcohol, vape or drug paraphernalia				●	✓	✓

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MAXIMUM DISCIPLINE LEVELS FOR SCHOOL/CLASSROOM CONDUCT							
DISCIPLINE (K-6)		LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	NOTIFY CENTRAL OFFICE	MAY CONTACT POLICE
G.	**TECHNOLOGY**						
1.	Unsanctioned use of an internet enabled personal device during the instructional day	●	●				
2.	Inappropriate use of District computer network and/or internet as outlined in Board Policy No. 4526	●	●				
3.	Inappropriate use of a personal electronic, internet enabled device as outlined in Board Policy No. 5695	●	●				
H.	**TRESPASSING**						
1.	Being on school property without permission, including while suspended or expelled	●	●				

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MAXIMUM DISCIPLINE LEVELS FOR SCHOOL/CLASSROOM CONDUCT							
	DISCIPLINE (7-12)	**LEVEL 1**	**LEVEL 2**	**LEVEL 3**	**LEVEL 4**	**NOTIFY CENTRAL OFFICE**	**MAY CONTACT POLICE**
A.	**BEHAVIORAL MISCONDUCT – CLASS & SCHOOL RULE VIOLATIONS**						
1.	Cheating, copying another's work, plagiarism	●	●				
2.	Changing/altering school records/documents	●	●				
3.	Failure to respond to school staff directives and/or comply with school rules, policies or procedures	●	●				
4.	Signing a parent's name on a school document without parent's consent	●	●				
5.	Leaving school or designated/assigned area without permission	●	●				
6.	Chronic cutting (missing the same class at least 5 times)	●	●				
7.	Running, excessive rough boisterous behavior or loitering in common areas (hallway, staircase) that interrupts instruction	●	●				
8.	Violating school district dress code	●	●				
9.	Violating bus safety rules (including but not limited to standing, pushing, throwing)	●	●				
10.	Unauthorized exchange of money or goods		●	●			
11.	Creating a cafeteria disturbance (food throwing, food fight)		●	●			
12.	Behavior that continuously disrupts instruction, safety or order within the school		●	●			
13.	Causing a large disruption that requires the initiation of an emergency management protocol				●	✓	✓
B.	**BULLYING, HARASSMENT, THREATS**						
1.	Verbal, physical, written and/or electronic communication that is threatening		●	●			
2.	Harassment, bullying (including cyberbullying) or hazing as defined in District Policy No. 0115		●	●			
3.	Bullying or harassment that results in life threatening physical harm to targeted person				●	✓	✓
4.	Sexual harassment (sexual advances, requests for sexual favors; other inappropriate verbal, written, or physical misconduct of a sexual nature)			●	●	✓	
5.	Sexual activity or sexual misconduct (indecent exposure, engaging in sexual activity, etc.)			●	●	✓	
6.	Distribution of pornography (including but not limited to sharing intimate images of another individual)				●	✓	✓
7.	Forced sexual act				●	✓	✓
8.	Obtaining money or property from another student through coercion, intimidation, or threat of physical harm			●	●	✓	
9.	Using association with a group to intimidate or harass a student or staff member			●	●	✓	
10.	Group activity that results in harm of self or others			●	●	✓	
11.	Making threats or providing false information about the presence of explosive materials or devices on school property				●	✓	✓

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MAXIMUM DISCIPLINE LEVELS FOR SCHOOL/CLASSROOM CONDUCT							
	DISCIPLINE (7-12)	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	NOTIFY CENTRAL OFFICE	MAY CONTACT POLICE
C.	FIRE, WEAPONS, AND HAZARDOUS MATERIALS VIOLATIONS						
1.	Attempting to start a fire			●	●	✓	
2.	Starting a fire and/or destruction of property as a result of arson				●	✓	✓
3.	Intentional false activation of fire alarm				●	✓	✓
4.	Possession of weapon such as firearm, rifle, shot-gun, pistol revolver, starter pistol, other firearms, explosives, or any object which is not necessary for school activities and could be used as a weapon				●	✓	✓
5.	Possession of a knife, box cutter, utility razor, linoleum cutter, dangerous chemical or any object which is not necessary for school activities and could be used as a weapon				●	✓	✓
6.	Threatening harm with a weapon or an object that can be used as a weapon				●	✓	✓
7.	Use of a weapon or an object that can be used as a weapon to inflict harm on a person				●	✓	✓
8.	Possession of fireworks, smoke or stink bombs, or any other pyrotechnic device, flammable materials, volatile chemicals, or any prank odor aerosols			●	●	✓	
9.	Use of fireworks, smoke or stink bombs or any other pyrotechnic device, flammable materials or volatile chemicals				●	✓	✓
D.	BULLYING, HARASSMENT, THREATS						
1.	Unintentional physical contact with student or staff	●	●				
2.	Physical contact or altercation (including but not limited to fighting, poking, pushing/shoving, slapping, kicking)		●	●			
3.	Physical contact or altercation with injury			●	●	✓	
4.	Physical contact or altercation resulting in injury that requires first responder intervention				●	✓	✓
5.	Physical contact that requires the initiation of an emergency protocol				●	✓	✓
E.	PROPERTY						
1.	Disrespecting the property of school or others	●	●				
2.	Defacing, vandalizing, or destroying property with graffiti or other means		●	●			
3.	Theft/burglary/robbery			●	●	✓	✓
F.	SUBSTANCE USE AND INFLUENCE						
1.	Possession of illegal substance, unauthorized medication, alcohol, vape or drug paraphernalia		●	●			
2.	Use of illegal substance, unauthorized medication, alcohol, vape or drug paraphernalia			●	●	✓	
3.	Distribution and/or selling illegal substance, unauthorized medication, alcohol, vape or drug paraphernalia				●	✓	✓
G.	TECHNOLOGY						
1.	Unsanctioned use of an internet enabled personal device during the instructional day	●	●				
2.	Inappropriate use of District computer network and/or internet as outlined in Board Policy No. 4526		●	●			
3.	Inappropriate use of a personal electronic, internet enabled device as outlined in Board Policy No. 5695		●	●			
H.	TRESPASSING						
1.	Being on school property without permission, including while suspended or expelled			●	●	✓	

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GLOSSARY OF TERMS

For purposes of the Yonkers Public Schools' Code of Conduct, the following definitions apply.

NOTE: Throughout the Code of Conduct, the term "parent(s)" refers to persons in parental relationship, including guardians and custodians.

Absence (excused) occurs when a student misses school and parent provides a written note explaining why.

Absence (unexcused) occurs when a student misses school and parent does not provide a note explaining why.

Accommodation is a change in the school environment, which allows a student to fully participate in all aspects of the school experience or "receive a free and appropriate education" (FAPE).

Allegation is an accusation that someone has done something wrong without proof.

Alternative Instruction is education provided to a student when he/she has been removed from his/her school for an extended period of time.

Appeal is a process when a parent and/or student disagrees with a decision that has been made, and wants it to be changed, if possible.

Child Pornography – Sexually explicit images of children (younger than 17 years of age)

Classification – the Individuals with Disabilities Education Act (IDEA) lists categories that define who is eligible to receive special education. A child, in Kindergarten or older, qualifies for help if he or she has a disability that matches the description in one of the categories. When the student is found eligible under one of these categories, this means that his/her needs are a good match to the description of that disability and this will be his/her classification.

Commissioner's Regulations – Part 200 contains the policies of the N.Y.S. Education Department that governed schools regarding Special Education.

Committee on Preschool Special Education (CPSE) – This committee is responsible for determining the proper needs/services for children with disabilities who are three and four years old.

Committee on Special Education (CSE) – This committee is responsible for determining the proper needs/services for children with disabilities between the ages of five and twenty- one.

Compulsory Education/School Age – By New York State law, children must attend school and schools must provide an education to children between the age of 6 and through the end of the school year in which the child turns 16.

Conference – a communication that takes place face to face, by telephone or through digital media.

Confidentiality is a legal right that school officials will hold information relating to a student secret, unless the parent gives consent permitting disclosure.

Consequence is a response to inappropriate behavior.

Defamation includes making false statements or representations about an individual or group of individuals that harm their reputation by demeaning them.

Discipline is a system of rules of conduct, training, practice, and instruction that supports and sustains positive behaviors.

Due Process (Procedural Safeguards) are the steps required by law that must be followed to make sure that processes used by the District are fair and that staff and students' rights are upheld regarding: confidentiality, independent evaluations, discipline procedures for students and staff, and other steps taken when there is disagreement.

Early Departure from School is when a student leaves school grounds before the end of the school day.

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Emotional Harm in the context of harassment or bullying means harm to a student's emotional well-being through the creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

Extracurricular Activities are organized events, beyond the curriculum, that engage students socially in their school community with parents, staff and other students.

Gender means assigned or perceived sex and includes a person's gender identity or expression.

Gender Expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

Gender Identity is a person's self-perception as being male or female, as distinguished from actual biological sex or sex assigned at birth.

Harassment means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or 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.

Hazing is a specific form of harassment among students defined as any humiliating or dangerous activity expected of a student in order to join a group or be accepted by a formal or informal group, regardless of the student's willingness to participate.

Home Instruction – academic services provided by an instructor when a child of compulsory school age cannot attend school due to a chronic medical condition or long term suspension; or when a student with a disability is awaiting placement in another educational setting.

Impartial Hearing is a formal process to resolve disputes that can be initiated by a parent or the Board of Education.

Inappropriate Behavior – Actions that violate the Code of Conduct.

Individualized Education Plan (IEP) is a written plan created by the CPSE or the CSE that describes a student's educational needs and the help that will be provided to address those needs.

Individuals with Disabilities Education Act (IDEA) – IDEA is a Federal law that outlines the educational rights of children with disabilities and establishes the process that schools must follow to educate them.

Insubordination – When a student does not respond to directives given by school staff.

Interim Alternative Educational Setting (IAES) means a temporary educational placement, other than the student's current placement at the time the inappropriate behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that enable him/her to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's IEP; as well as to receive, as appropriate, a Functional Behavioral Assessment and Behavioral Intervention Plan designed to address the inappropriate behavior so that it does not reoccur.

Interventions Specific programs, strategies, restorative conferencing protocols, skill-building sessions, and individual and group counseling activities that enable students, staff and parents/guardians to reflect on their behavior, attitudes, needs and feelings; learn replacement behaviors and habits; work through personal obstacles; resolve conflicts; and develop goals and plans to get back on the path to school success.

Intimidation – engaging in actions or statements that put an individual in fear of harm.

Manifestation Determination is when a decision is made about the relationship between a student's disability and the inappropriate behavior that could require a disciplinary response.

Manifestation of a Disability is when the inappropriate behavior is caused by or has a direct or substantial relationship to the student's disability, or the inappropriate behavior is the direct result of the district's failure to implement the student's IEP.

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Manifestation Review is the process of determining whether there is a relationship between a student's disability and the inappropriate behavior exhibited that may require a disciplinary response.

Manifestation Team is made up of school personnel who must determine whether or not the student's inappropriate behavior is a manifestation of the student's disability.

Mediation is a process in which individuals who have a conflict reach an agreement.

Out of School Suspension is a consequence to a student's inappropriate behavior where he/she is not allowed in school for a specified number of days.

Restitution involves replacing items that were stolen or damaged by providing fair market value through compensation or service.

School Climate – refers to the quality and character of school life based on patterns of students', parents' and school personnel's' experience of school life, and reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures.

School Day means any day, including a partial day, that students attend school for instructional purposes.

School Function means any school-sponsored event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

School Property means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a Yonkers Public School Building or on school transportation.

Section 504 of the Rehabilitation Act – Section 504 of the Rehabilitation Act of 1973 is a national civil rights law. Its purpose is to make sure that students with physical or mental disabilities will receive specific supports and services that will help them fully participate at school. Students who qualify receive accommodations that are described in a plan called a 504 plan. Students who have an IEP cannot also have a 504 plan.

Sexual Offenses – Any sexual behaviors, whether consensual or non-consensual, which include, but are not limited to, physical touching of intimate body parts of another or one's self in an educational setting and/or at a school function.

Social and Emotional Development is the process of acquiring and effectively applying the knowledge, attitudes, and skills necessary to recognize and manage one's own emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably.

Tobacco or Nicotine Violations Possession – use, sale or distribution of tobacco or tobacco products, including, but not limited to, cigarettes, e-cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, smokeless tobacco, hookah or vaping devices.

Transition Plan is a collaborative school and family effort to support the return of a suspended student back to school and classroom(s) to assure academic and social success.

Violent Behavior includes but is not limited to:

- Committing an act of violence on a school employee, another student or any other person, or attempting to do so while on school property or at a school function.
- Possessing, while on school property or at a school function, a weapon.
- Using, while on school property or at a school function, a weapon.
- Displaying, while on school property or at a school function, what appears to be a weapon.
- Threatening, while on school property or at a school function, to use a weapon.
- Knowingly and intentionally damaging or destroying school district property.
- Knowingly and intentionally damaging or destroying the personal property of any school employee or any person lawfully on school property or at a school function.

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YONKERS PUBLIC SCHOOLS TEACHER REQUEST FOR CLASSROOM REMOVAL

A teacher may submit a written request to school administration to remove a student who repeatedly or substantially interferes with the teacher's ability to communicate effectively with the class or with the ability of the student's classmates to learn. To submit a request for review, please complete this form and provide it to your school administrator. Once received, the administrator must allow the student to explain the situation and will then render a decision within two school days.

Teacher's Name: _____ **School**: _____

Student's Name: _____ **ID#**: _____ **Grade**: ____ **IEP** or **504** plan? ☐ **Yes** ☐ **No**

1. Description of Disruptive Behavior. Please describe the student's behavior(s). (Check all that apply.)

☐ Physical aggression (e.g., hitting, kicking, shoving)
☐ Verbal threats or abuse (e.g., threats of harm, abusive language)
☐ Destruction of property
☐ Continuous disruption of classroom activities
☐ Defiance or refusal to comply with directions
☐ Other (please specify): _____

Details of the behavior:

_____
_____
_____
_____
_____

2. Previous Interventions. Please indicate the strategies/interventions attempted. (Check all that apply.)

☐ Verbal warning
☐ Student conference
☐ Behavior redirection
☐ Change of seating
☐ Restorative conversation
☐ Parent/guardian conference-- If indicated, date of contact with parent: _____
☐ Referral to counselor or support staff
☐ Referral to school administrator
☐ Other (please specify): _____

Outcome of interventions:

_____
_____
_____
_____
_____

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Details of the plan developed and implemented by the teacher to improve the student's behavior:

_____

_____

_____

_____

_____

4. Impact on Classroom Learning Environment Please describe how the student's behavior impacted the learning environment and why removal is being requested:

_____

_____

_____

_____

_____

Please include any other documentation that is relevant to this request.

Teacher's Signature: _____ **Date**: _____

Administrator's Review/Signature: _____ **Date**: _____

Please indicate next step(s). Be sure to appropriately document intervention(s) and incident in Power School.

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YONKERS PUBLIC SCHOOLS
STUDENT CODE OF CONDUCT AGREEMENT

Dear Parent/Guardian and Student:

Yonkers Public Schools is required by state law to maintain a Code of Conduct which governs the conduct of students, school staff, and visitors, including families, and provides information to promote a positive and safe school environment. It is important that you read and review the Code of Conduct with your child.

The Code of Conduct is available on the Yonkers Public Schools Website and paper copies are available in the main office of the school. Please initial, sign, and return this Acknowledgement Form.

ACKNOWLEDGEMENT OF CODE OF CONDUCT

I acknowledge that all students are accountable for their conduct and will be subject to the disciplinary measures outlined in the District's Code of Conduct if they violate its provisions. Additionally, I understand that lack of familiarity with the Code of Conduct does not exempt a student from any applicable consequences.

Parent Name: _____ **Student Name**: _____
(*Please Print*) (*Please Print*)

Student ID#: _____ **Grade**: _____

Student Signature: _____ **Date**: _____

Parent/Guardian Signature:_____ **Date**: _____

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