

BCS Discipline Policy

(Extracted from the most updated version of the BCS Student and Family Handbook)

The Discipline Policy of the Brooklyn Charter School is intended to intervene, respond and correct unwanted behaviors in an effort to maintain a safe school, to ensure the continuation of the teaching and learning process, and to allow children to understand the nature of their choices and subsequent consequences.

This Policy has been revised to reflect compliance with existing:

Federal Law:

- Federal Case Law
- Individuals with Disabilities Act (IDEA)
- Gun-Free Schools Act

State Law:

- New York State Charter Schools Act

Charter Contract:

- Charter School Agreement

Code of Conduct:

Students will be able to withdraw from Brooklyn Charter School at any point in time and return to their locally zoned public school or any other school to which they can gain admission.

Brooklyn Charter will adhere to all of the values and expectations outlined in this handbook as a guideline for in-class disciplinary action, suspension, or expulsion of students.

In-class disciplinary actions will include, but are not limited to:

- Additional assignments to be completed at home and/or at school;
- Removal of student from the classroom environment, as necessary;
- Loss of incentives, recreational school trips and recess
- Creative consequences such as character building activities, community service assignments, etc.

All disciplinary actions are designed to teach the student the importance of making informed and thoughtful choices, and controlling his or her own actions. All disciplinary actions are consequences aimed at getting the student to attain a greater sense of civic responsibility.

In addition, students may be subject to suspension or expulsion if it is determined that they committed any of the infractions listed below and/or listed in the New York City Department of Education Discipline Code. *Please note that although Brooklyn Charter refers to the New York City Department of Education Discipline Code as a resource, the guidelines outlined in our handbook supersede the recommendations contained in the New York City Department of Education Discipline Code.*

All suspensions and alternative instruction must be enacted so that they are substantively and procedurally in accordance with New York Education Code.

Discipline Systems

Kindergarten-2nd - “Traffic Light “

GREEN- 1st Verbal or Non-Verbal warning

YELLOW- (2nd Warning) Repeated infraction. Student needs to be redirected and reminded of classroom expectations.

RED- (FINAL warning) Stop immediately or change behavior immediately. The next infraction will lead to a student removal.

3rd -5th – “4” Strike System

Students name is written on the board.

1st check- a check is placed next the student’s name. Verbal/ Non-Verbal warning given.

2nd check- a second check is placed next to the student’s name. Student needs to be redirected and reminded of classroom expectations.

3rd check- a third check is placed next to the student’s name. This is a final check that leads to class removal.

A removal form “pink slip” must be completely filled out by the teacher or staff. The “pink slip outlining the infraction, along with classwork will accompany the student to the Administrative Team or Dean.

If a teacher deems it necessary to remove a student from the classroom, it is the teacher’s responsibility to provide the class work that is assigned during the allotted period and contact the parent of the removed child before leaving school at the end of the day. The conversation explicitly states the reason(s) why it was necessary to remove their child from the class.

WHEN A STUDENT IS REMOVED FROM THE CLASSROOM, THE TEACHER COMPLETES A “STUDENT REMOVAL FORM” (OFTEN REFERRED TO AS A “PINK SLIP” DUE TO THE COLOR OF THE FORM), AND SENDS THE CHILD TO EITHER THE DEAN OF STUDENTS, ASSIGNED FACULTY MEMBER IN THE MAIN OFFICE OR DESIGNEE FOR THAT SPECIFIC CHILD, WHO ENSURES THAT THE STUDENT WRITES DOWN HIS/HER ACCOUNT OF THE CIRCUMSTANCES. STUDENT’S REMOVAL WILL BE DOCUMENTED INTO OFFICIAL SCHOOL RECORDS. THE STUDENT IS EXPECTED TO COMPLETE THE ASSIGNMENT GIVEN TO HIM/HER BY THE TEACHER IN THE OFFICE WITH THE DEAN OF STUDENTS OR THEIR DESIGNEE.

STUDENTS WHO ARE REMOVED FROM THE CLASSROOM WILL BE SUBJECT TO THE FOLLOWING CONSEQUENCES:

GRADES K-5:

FIRST, SECOND AND THIRD REMOVAL: STUDENT IS REMOVED FROM THE CLASSROOM AND SENT TO THE DEAN OR THEIR DESIGNEE TO COMPLETE HIS/HER ASSIGNMENT(S). THE TEACHER CONTACTS PARENT/GUARDIAN TO INFORM THE PARENT OF THEIR CHILD’S REMOVAL FROM THE CLASSROOM. THE TEACHER OR DEAN NOTATES STUDENT REMOVAL IN THEIR RECORDS.

FOURTH REMOVAL: STUDENT IS REMOVED FROM THE CLASSROOM AND SENT TO THE DEAN OR THEIR DESIGNEE TO COMPLETE HIS/HER ASSIGNMENT(S). THE TEACHER CONTACTS PARENT/GUARDIAN TO INFORM THE PARENT OF THEIR CHILD’S REMOVAL FROM THE CLASSROOM. THE TEACHER OR DEAN NOTATES STUDENT REMOVAL IN THEIR RECORDS. DUE TO THE ACCUMULATION OF REMOVAL FORMS IN ADDITION TO THE CONSEQUENCES OUTLINED IN THE FIRST, SECOND, AND THIRD INFRACTIONS, THE STUDENT WILL RECEIVE AN OFFICIAL SUSPENSION FOR ONE (1) SCHOOL DAY.

ANY SUBSEQUENT STUDENT REMOVALS FROM CLASS AFTER THE FOURTH REMOVAL, SUSPENSIONS BECOME CONSECUTIVE.

Non-negotiable Stipulations

As a student at the Brooklyn Charter School, there are certain behaviors and actions that impede one's ability to achieve at high levels, or serve as a detriment to our school's focus on high academic achievement and overall community wellbeing. Therefore in addition to the expectations for regular attendance, punctuality, and adhering to the school uniform policy, the following actions/behaviors will not be tolerated and will be dealt with quickly, effectively, and without hesitation, in order to maximize the success and welfare of all the members of our school community:

The following is a list of guidelines that outline Level I non-negotiable stipulations that are in effect for every student at the Brooklyn Charter School:

- Stipulation:** Chewing gum, eating candy and drinking soda while in the school building or on school grounds are not allowed.
Consequence: Any student observed chewing gum, eating candy, or drinking soda will be asked and expected to dispose of the chewing gum, candy, or soda in the nearest trash receptacle.
- Stipulation:** Eating food or drinking the allowed fluids of water, juice (or other special event related beverages), during non-designated times of the school day i.e. breakfast, snack and/or lunch times and only in the cafeteria or designated area, will not be allowed, unless direct and discretionary permission from either the Principal, Assistant Principal, or Dean to do so was given.
Consequence: Any student who is eating food or drinking a beverage outside of the cafeteria or designated area and/or at a time other than his/her designated breakfast or lunch times, will be confiscated for return after school.
- Stipulation:** The use of personal electronic devices not directly associated with the school's academic program at any time during school hours, will not be allowed, and such electronic devices should not be visible or audible during school hours, unless direct discretionary permission to do so was given by either the Principal, Assistant Principal, or Dean.
Consequence: Any student who uses, or is in obvious possession of an unapproved electronic device during school hours will be asked by and expected to present the device to that staff member or nearest staff member. The student will only be allowed to have the item returned to him/her following the confiscating staff member being able to have a direct conversation with his/her parent/guardian regarding the confiscation of the item.
- Stipulation:** Insubordination in response to following the direction of a staff member who is enforcing a Level I non-negotiable stipulation will not be allowed.
Consequence: The student(s) will receive a removal form for violating school rules and for insubordination.

The following is a list of guidelines that outline Level II non-negotiable stipulations that are in effect for every student at the Brooklyn Charter School:

- Stipulation:** Fighting with another student of the Brooklyn Charter School Charter School, or with a student from another school will not be tolerated, regardless of reason for, or time and location of the altercation, including off school grounds and not during school hours. Additionally, instigating/cyber-instigating, the relaying of information that

leads to (such as relaying messages to one and/or the other student involved, et. al.), and/or encouraging another student(s) to engage in a fight will not be tolerated.

Consequence: The student(s) will receive a suspension for fighting. The student(s) will receive a suspension for instigating.

2. **Stipulation:** Bullying (including cyber-bullying), intimidating, or making statements of a derogatory nature about or toward another student of the Brooklyn Charter School or a member of its staff will not be tolerated. Additionally, instigating, the relaying of information that leads to (such as relaying/forwarding messages to others, gossiping, et.al., face-to-face with others, over Facebook, SMS/text messaging, et.al.), and/or encouraging another student(s) to engage in such behavior will not be tolerated.

Consequence: The student(s) may receive a suspension for the designated infraction.

School Policy regarding Removal of a Student from the Classroom Environment

As a student at the Brooklyn Charter School, it is expected that while present in any classroom you behave in manner that demonstrates that your main focus is on learning and your academic work. It is also expected that you behave in manner that allows an equal and fair opportunity for others in the classroom to learn in a safe, friendly, respectful environment, free of unnecessary disruption. Therefore it is the school's policy that any student who does not demonstrate that their main focus is on learning and their work, or impedes the educational process in the classroom, may be removed from the learning environment by the classroom teacher.

A teacher may remove a student from the classroom for any of several reasons, including:

- Unauthorized traveling of students
- Cursing/ Cursing at one another or Faculty
- Stealing, theft, or instigating such
- Fighting, or instigating such
- Bullying / Cyber Bullying or instigating such
- Egregious disrespect to teacher
- Throwing objects /across the classroom/ in the cafeteria/ in the gym/ on a school trip etc.
- Cheating on a test
- Inappropriate touching; aggressive, sexual or playful

Suspensions and Expulsion:

A student who is determined to have violated any of the Brooklyn Charter policies outlined in this handbook or has committed any of the infractions listed below shall minimally be subject to a suspension, unless the Administrative Team determines that an exception should be made based on the individual circumstances of the incident and a student's disciplinary record. Depending upon the severity of the infraction, the student may be subject to a long-term suspension, expulsion, or referral to the appropriate city and/or state agencies.

Suspensions shall refer to the removal of a student from school for disciplinary reasons for a period of 1-4 days.

Long-term suspensions shall refer to the removal of a student from school for disciplinary reasons for a period of 5-10 days.

Expulsions shall refer to the permanent removal of a student from school for disciplinary reasons.

Examples of disciplinary infractions that may result minimally in a suspension include, but are not limited to, the following:

- Bullying, including cyber-bullying.
- Attempting to assault any student or staff member.
- Vandalizing school property and causing minor or major damage.
- Endangering the physical safety of another by the use of force or threats of force, which reasonably places the victim in fear of imminent bodily injury.
- Fighting.
- Instigating a fight or other conflict.
- Engaging in conduct that disrupts school or classroom activities, or endangers or threatens to endanger the health, safety, welfare, or morals of themselves or others.
- Insubordination.
- Stealing, attempting to steal, or knowingly possessing stolen property.
- Trespassing on school property.
- Being on a floor, in a restroom, or other area of the building without the express consent of a Brooklyn Charter School staff member.
- Abusing school property or equipment.
- Using obscene or abusive language or gestures.
- Engaging in acts of verbal or physical sexual harassment.
- Making a false threat against the school (bomb threat, terrorist acts, etc.) or pulling an emergency alarm when there is no emergency.
- Possessing tobacco, alcohol, or any illegal drug or substance.
- Wearing inappropriate, insufficient, or disruptive clothing or attire, including on Dress Down Fridays, or violating the Brooklyn Charter Uniform Policy.
- Refusing to follow the safety directions given by school safety officers or reacting in disrespectful ways towards these officials.
- Committing any other act which school officials reasonably conclude disrupts the learning environment of the school.
- Engaging in any speech or action that demeans another student or any individual inside or outside of the school building based on race, religion, gender, or sexual orientation.
- Repeatedly committing minor behavioral infractions may, in aggregate, be considered an infraction subject to formal disciplinary action.

Procedures for Suspensions:

The Administrative Team or Dean may impose a suspension or long-term suspension. Before imposing a suspension of any kind, the Administrator or Dean shall verbally inform the student of the suspension and the reason for it. The student(s) shall be given an opportunity to deny or explain the allegations against them. BCS will contact the parental/guardian via telephone to notify the family of the suspension as long as the school has been provided with a contact telephone number for the parent/guardian or an emergency contact. The Administrative Team or Dean will also give the student(s) a written letter notifying the parent/guardian that the student(s) has been suspended from school, along with a copy of the letter for the parent/guardian to sign and return to school by giving it to their child to bring back to the Administrative Team or Dean. The text of the letter shall provide a description of the incident or incidents which resulted in the suspension and shall offer the opportunity to confirm acknowledgement or for an immediate conference with the faculty involved with the suspension, requested staff members and/or Administrative Team and parent(s)/guardian(s).

Examples of disciplinary infractions that may result minimally in a long-term suspension include, but are not limited to, the following:

- Assaulting any student or staff member.
- Intentionally causing physical injury to another person, except when the student's actions are reasonably necessary to protect himself or herself from injury.
- Vandalizing school property and causing minor or major damage.
- Committing any act which school officials reasonably conclude warrants a long-term suspension.
- Possessing, using, or attempting to use or transfer any firearm, replica of a firearm, knife, razor blade, explosive, mace, tear gas, or other dangerous object of no reasonable use to the student or school.
- Committing or attempting to commit arson on school property.
- Possessing, selling, distributing or using any alcoholic beverage, controlled substance, imitation controlled substance, or marijuana on school property or at schools sponsored events.
- In addition, a student who commits any of the acts previously described as cause for short term suspension may, instead or in addition to, be subject to a long-term suspension at the Assistant Principal's discretion.
- Violating any applicable state or federal laws that require a student to receive a long-term suspension.

A note about long-term suspensions:

A student who is determined to have committed any of the infractions listed above shall be subject minimally to a long-term suspension, unless the school principal determines that an exception should be made based on the circumstances of the incident and the student's disciplinary record. Such a student may also be subject to any of the disciplinary measures outlined elsewhere in this document, referral to city, state agencies and/or expulsion.

Procedures for long-term suspensions:

The members of the Administrative Team may impose a long term suspension for a period of 5-10 days, following the procedural protocol for suspensions previously outlined in this handbook. The Administrative Team will also contact the parent(s)/guardian(s) by phone to either schedule a hearing or confirm acknowledgement of suspension. Hearings or appeals to be held during regular school hours, unless another mutually agreed upon time can be arranged, with the Principal, the student, his/her parent(s)/guardian(s), another member of the Brooklyn Charter Administrative Team, and the staff member(s) involved, if any. At this hearing or appeal, all versions and accounts of the incident that led to the suspension will be heard, and a decision will be rendered by the Principal regarding whether the suspension should be retracted or should a long term suspension should be upheld. If the Principal cannot reach a parent/guardian by phone, within two school days of the first attempt at contact, a certified letter

will be sent to the home address on file at the school for the student informing the parent(s)/guardian(s) of the hearing time and place. Failure to respond to the request for a hearing, or failure to show for the hearing will not be cause for the hearing to be delayed, and the hearing will occur without the presence of the parent(s)/guardians(s) and/or student(s), and the decision of the Principal made as a result of the hearing will be upheld.

Procedures for expulsions:

If a child is being considered for expulsion from Brooklyn Charter School, the Principal shall provide written notification to the student and his or her parent/guardian that the student is being considered for expulsion. The written notification shall also set a time and place for a formal appeal conference with the Principal, Assistant Principal and/or Dean of Students and shall inform the parent/guardian of their rights. Except for those items that, under state and federal law, require immediate expulsion, the Principal or her designee may not expel a student unless a prior written and verbal warning for expulsion has been issued to both the student and his or her parent/guardian that includes an explanation that clearly states the reason(s) warranting the expulsion. Following the formal appeal conference, if the Principal, or her designee, maintains that expulsion is still the necessary action, the Principal, or her designee, will issue a recommendation of expulsion to the School Board who will convene a designated Committee to hear the recommendation at or prior to the next scheduled Board Meeting. At this hearing, the recommendation for expulsion will be heard and shall include a description of the behavior and/or academic problems indicative of the need for expulsion, a description of the alternatives explored, and prior action taken to resolve the problem. The parent(s)/guardian(s), should they so choose, may also present materials to the Committee. After presenting the matter to the Committee of the Board, the Committee of the Board will render a formal decision within 30 days of the hearing, and will formally notify the parent(s)/guardian(s) by certified letter of their decision. The decision of the Committee of the Board will have immediate effect.

Supplementary instruction:

Students who are suspended will be provided with 2 hours of alternative instruction, in school, on days of their allotted suspension. Arrangements will be made between the school and each individual family for the delivery of services, pick up/delivery of work, and the making up of any missed assignments and classroom instructional support. All mandates associated with the Individuals with Disabilities Education Act (IDEA) will be followed for students with disabilities.

Due process procedures:

Students with disabilities have the same rights and responsibilities as other students, and may be disciplined for the same behavioral offenses listed above. If a student with disabilities has an Individualized Education Plan (IEP) that includes disciplinary guidelines, then that student will be disciplined according to those guidelines as required by IDEA. All mandates and appropriate procedures for SWDs or students undergoing an evaluation associated with the Individuals with Disabilities Education Act (IDEA) will be followed for said students. School procedures explaining this information is available in writing at the school. Such information includes but is not limited to; sending procedural safeguard notification to parents, sending immediate and contemporaneous written notice to the NYC DOE, ensuring staff with knowledge of student behavior's participate in MDR meetings scheduled by the NYC DOE, ensuring appropriate school faculty provide information in IEP meetings to determine alternate education and services for students as necessary and procedures to implement alternative education and special education services determined by the IEP team. There are procedures in place that address and determine patterns of behavior and behaviors that are determined not to be a pattern for student removals which may or may not result in disciplinary change of placement. There are rules and procedures for implementing an Interim Alternative Setting (IAES) for SWDs involving special circumstances such as weapons, illegal drugs, controlled substances, and or serious and/or bodily injury as well as required services for a SWD removed to an IAES for not more than 45 school days. Students

for whom an IEP does not include specific disciplinary guidelines may be disciplined in accordance with the standard school policy listed above.

In accordance with IDEA, a student that has an IEP or is in the process of undergoing an evaluation by the Committee on Special Education (CSE), may be removed from the classroom, suspended, and/or excluded from his/her current educational program for a term of up to ten (10) school days, and must be provided with alternative instruction to the same extent as students in general education. Prior to a student that has an IEP or is in the process of undergoing an evaluation by the CSE being excluded from the current educational program for an eleventh (11th) school day, school officials must conduct a functional behavioral assessment (FBA) and implement a behavior intervention plan (BIP), or reevaluate a previously implemented BIP if one is already in place, before excluding the student from their current educational program in excess of ten (10) days.

Appeals

The student's family may elect to appeal a decision by the administration of the Brooklyn Charter School Principal, Assistant Principal or Dean to impose a long-term suspension or expulsion to the Board. If you wish to appeal a decision to the Board, you may do so by following the Procedure for Filing a Complaint outlined on page 34 of this handbook. The family may bring counsel with them if they desire.

Confiscation of Inappropriate Materials or Objects

Any BCS staff member can and will confiscate materials or objects that are considered disruptive or dangerous. These materials and/or objects will be held in the Dean's office until a parent retrieves the item. Items including, but not limited to electronic equipment, clothing or materials containing vulgar messages will be confiscated.

Cell Phones in school

Please be advised that cell phones are not permitted to be used in school between the hours of 8:00 a.m. and dismissal. If a student needs to communicate with a family member, all calls should be made from the main office. Cell phones will be confiscated and returned to an adult only. BCS assumes no responsibility for lost or stolen electronic items (cell phones, iPads, tablets, game systems, etc.)

School-Wide Reward System

The Brooklyn Charter School has developed a program to help students strive for excellence in citizenry by setting an example for the entire student body school in demonstrating the BCS Cornerstones consistently. The following criteria must be met in order for a student to receive school-wide rewards:

- Follows The Brooklyn Charter School Cornerstones.
- Assists classmates in earning rewards for positive behavior (does not receive any discipline reports)
- Completes homework and class work daily
- Wears BCS uniform daily
- Attends school daily, on-time
- Complies with all safety protocols on the Bus