

## STUDENT DISCIPLINE

The Board of Education believes that each student can reasonably be expected to be responsible for his/her own behavior. The Superintendent of Schools shall develop and disseminate rules of conduct, focusing on personal safety and respect for the rights and property of others to be consistently applied in the classrooms and throughout the schools. Students who fail to meet this expected degree of responsibility and violate the rules may be subject to appropriate disciplinary action, including suspension, and more regulated supervision.

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that is viewed as fair and impartial by the student. Therefore, before seeking outside assistance, teachers will first use all their resources to create a change of behavior in the classroom.

Disciplinary action, when necessary, will be firm, fair, and consistent in order to be most effective in changing behavior. Pursuant to section 100.2 of the Commissioner's regulations, such action will be appropriate to the seriousness of the offense. Extreme penalties (e.g., a one-year suspension) will not be assigned without first reviewing the student's disciplinary records and considering the circumstances which led to the improper behavior.

Depending upon the nature of the violation, it is the desire of the Board of Education that student discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations. It is also the Board's desire that staff members imposing such penalty take into account all other relevant factors in determining the appropriate penalty. These penalties may be imposed either alone or in combination. Such penalties may be imposed by the Superintendent of Schools or with his/her permission.

### *Early Identification and Resolution of Student Discipline Problem*

Pupil service personnel, administrators, teachers, and others will report students to the Superintendent of Schools or his designee when they believe such students present a discipline problem. The Superintendent or his designee will conduct an investigation of the reports, which may include conferences with the complainant, student, parents, teachers, other pupil service personnel or others, as he or she deems appropriate for the early identification and resolution of the suspected problem. If he/she suspects that the problem may be a manifestation of a disability, he or she will refer the matter to the Committee on Special Education in the manner prescribed by §200.4 of the Commissioner' Regulations and by district policy (below) and regulation.

*Discipline Policy for Students with Disabilities*

Students with disabilities should not be disciplined if their inability to conform to the school's code of conduct is related to their disability. If there is a question as to whether a student's behavior is related to that condition, the case should be referred by the Building Principal to the Committee on Special Education (CSE). The CSE will decide if counseling or disciplinary action will be taken and /or if a change of placement is appropriate.

If the behavior of such student might endanger the health and safety of himself/herself or others, the district will follow the procedures outlined in the Superintendent's regulations.

*In-service Programs for Staff*

The Superintendent of Schools shall solicit the recommendations of the teaching staff and administrators regarding in-service programs pertaining to the management and discipline of students. The Board shall sponsor such programs annually.

The district will provide the following types of materials and activities to assist staff with their concerns for disciplinary problems:

1. related literature in the professional library;
2. workshops on conference days;
3. in-service classes to train staff in present trends and research; and
4. consultants to those members of the staff needing specific techniques in maintaining control in the learning environment.

Ref: Education Law §§2801; 3214  
8 NYCRR §§100.2(l)1 and 2  
Easterbrook, *Substance & Due Process*, 1982 Supreme Court Review  
*Chapman v. Thomas*, 105 S.Ct. 1866 (1985)  
*Tinker v. DesMoines Independent Community School Dist.*, 393 U.S. 503 (1969)  
*Matter of Troy R.*, 29 EDR 424 (1990)  
*Matter of Pellegrino*, 22 EDR 462 (1983)  
*Matter of MacWhinnie*, 20 EDR 145 (1980)  
*Matter of Port*, 9 EDR 108 (1969)  
State Education Department, *Guidelines for Students' Rights and Responsibilities* (1979)

Note: Policy added

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