



Discipline Policy

Cardinal McCloskey Community Charter School (“CMCCS” or the “School”) recognizes that most of its students are experiencing or have experienced trauma and that many of its students are experiencing or have experienced long-term or complex trauma. The School further recognizes that traditional approaches to student discipline are often not appropriate to address the social, emotional, family-related and other issues these students face. The School has adopted the Sanctuary Model to help address the needs of its students, and it has integrated the principles and elements of the Sanctuary Model in its Positive Behavior Support and Discipline Policy. The School’s approach to promoting healthy, safe and pro-social student behavior is to acknowledge and commend students when their behavior is appropriate and to use Sanctuary Model-informed positive behavioral interventions when intervention is required.

The School’s decision to ground its behavior management and discipline policy in the Sanctuary Model was informed by the experience of Cardinal McCloskey Community Services (“CMCS”) overseeing the academic programs and school culture at Hayden House, its Article 81 School that serves highly at-risk children and youth. Hayden House is a Sanctuary Model-infused school that uses positive reinforcement and a “reward” system for desired behaviors, along with warnings and other consequences for negative behaviors and “poor choices.” When students demonstrate that they have followed the “school rules”-i.e., met expectations and responsibilities (such as attending school every day on time, attending all classes unless excused and completing assigned homework) and followed “personal rules” (such as talking and acting towards others with respect), they can receive points. The points can make the students eligible to receive rewards such as a weekly prize or treats, as well as public acknowledgement of the positive behavior. Hayden House also provides Sanctuary Model-related Awards based on the Seven Commitments, including Social Responsibility Awards, to reward students for acts of kindness or cooperation (e.g. comforting a sad classmate, offering to help with cleanup, etc.).

This incentive-based behavior management system has been effective in promoting positive behavior and good personal habits among Hayden House’s highly at-risk student population, and it will inform the behavior management and discipline policies and practices at CMCCS.

CMCCS holds to the idea that responsible behavior, respect for others and oneself, self-discipline and thoughtful action emerge from a culture of positive expectations and respect developed through valued relationships within the community. The School will strive at all times to maintain a culture in which all stakeholders respect one another and in which students care about maintaining positive relationships with teachers and peers. CMCCS has developed a Positive Behavior Supportive and Discipline Policy designed to: a) promote a safe, orderly environment conducive to teaching and learning; b) promote respect for the rights of all persons within the



School community; c) support students in overcoming challenges and exercising self-care and non-violent responses to stress and conflict; and d) promote the acceptance of personal responsibility.

Central to CMCCS's approach to student behavior management and discipline is a recognition of the impact that trauma has had and may currently be having on its at-risk students and the need to establish a safe, trauma-sensitive school environment in which at-risk children can thrive. Accordingly, the School's student behavior management and discipline policies will incorporate Sanctuary Model principles and practices into classroom and school-wide interventions for students.

A key goal of the Sanctuary Model is to establish and maintain a community free of all forms of violence (including physical, emotional, and social violence) and to create a community where all voices are heard and where all members are held responsible for their behavior and its consequences. However, it also promotes responses to negative, unhealthy or unsafe behavior designed to provide the child with an alternative learning experience. The purpose of discipline within this model is not to punish students or use them to serve as examples to others, but rather to help students overcome trauma, adopt healthy and pro-social habits and behaviors and become positive and contributing members of their School community. The Sanctuary Model teaches children and youth to cope effectively with stress and trauma within a community that is safe, caring and supportive. Organizations using the Sanctuary Model have dramatically reduced incidents of violence and negative behaviors among at-risk children.

The following seven Sanctuary Commitments and Values will serve as the foundation for CMCCS's approach to student behavior management and discipline:

- **Commitment to non-violence:** We value physical, psychological, social and moral safety and we are committed to teaching the development of safety skills.
- **Commitment to emotional intelligence:** Behaviors have meaning. We teach the development of positive and appropriate emotional management skills.
- **Commitment to social learning:** We value questioning established authority, even our own. We teach the development of cognitive and problem solving skills.
- **Commitment to shared governance:** Might doesn't make right-we level the hierarchy and teach the development of social and political skills.
- **Commitment to open communication:** Everyone must have the power to speak their own truth. We teach skills to give words to feelings and resolve conflict.
- **Commitment to Social Responsibility:** We listen to the wisdom of the group. We teach healthy relationship skills.
- **Commitment to Growth and Change:** We create opportunities for change. We teach how to generate positive change and a better future.



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The Sanctuary Model will inform student behavior management and the discipline policy and decision-making throughout the entire school culture. Accordingly, the entire CMCCS staff will participate annually in intensive training in the Sanctuary Model and will be expected to take a Sanctuary-Model-informed approach to promoting positive student behavior and addressing issues of student behavior management and discipline.

A critical part of the School's Sanctuary Model-informed approach to student behavior management is the development of techniques and incentives for rewarding desirable behavior. At CMCCS, rewarding students for positive and pro-social behavior is always preferable to disciplining them for negative behavior. This approach is designed to not just prevent students from engaging in negative or unsafe behaviors but to teach them effective alternative behaviors when faced with trauma or other difficulties. By acknowledging and positively reinforcing desirable behavior, the School will support students in developing the character traits, habits, and coping strategies needed to overcome problems and succeed. Teachers and School staff will be trained and encouraged to observe, recognize and publicly acknowledge students engaging in positive behaviors and "doing things right." Among the strategies that the School will employ to acknowledge and reinforce positive student behaviors is an incentive program similar to that used at Hayden House. At CMCCS, teachers, administrators and other staff members will actively observe students to identify and acknowledge instances in which they exhibit positive, healthy or pro-social behaviors.

Such behaviors may range from communicating in a polite and respectful manner and contributing to a classroom discussion to helping and working cooperatively with other students to peacefully addressing personal or interpersonal conflict. Any teacher or other staff member may recognize such positive behaviors and submit a report to the Principal recommending that a student be awarded a "star." These "stars" will stand as a public acknowledgment that the student has achieved a behavioral milestone and may entitle the student to particular privileges such as additional "free reading" time, choice of activities during recess or Physical Education class and other appropriate rewards. Also, working in coordination with the CMCS Core Sanctuary Team and the faculty at Hayden House, the School will develop a series of Sanctuary Model-related rewards and incentives based on the Seven Commitments. For instance, incentives can be established to positively reinforce student behavior such as community service that supports the Commitment to Social Responsibility. Similarly, students who participate in Student Council or other activities that support the Commitment to shared Governance could receive stars or other rewards.

In implementing a Sanctuary Model-informed approach to student behavior management, CMCCS will rely heavily on "SELF" Reviews. SELF is a Sanctuary acronym that stands for



Safety, Emotional Management, Loss and Future—i.e. the four key aspects of moving forward from bad experiences. Through a discipline process focused on SELF reviews, all members of the school community will communicate regarding challenges and disciplinary issues using a shared, non-technical and non-pejorative language. Generally, when any behavior results in a person feeling unsafe, a meeting or series of meetings will be held where the behaviors and issues are reviewed using the framework of SELF, including:

- A comprehensive definition of Safety that encompasses four domains—physical, psychological, social and moral.
- A belief that most problem behaviors stem from issues related to appropriate Emotional Management. At the meeting(s), the issue(s) that led to the person feeling unsafe will be addressed and the emotional management-related responses of all relevant parties will be reviewed.
- “Loss”—i.e. failure to make progress, continued “acting out” and/or behaviors or responses—are also reviewed and addressed at the meeting(s).
- “Future” represents the behavioral objective—i.e. a positive vision of what the future can look like.

At the SELF Review meeting(s), the violation will be identified and the student will have the opportunity to understand their behavior and the effect it had on others. The student will also be supported in thinking about why the behavior occurred and how to respond differently in the future. The student will be guided in thinking about ways to make the situation better for anyone hurt or negatively impacted by the behavior or the situation in which the behavior occurred. Through the SELF Review process, the student will have the opportunity to learn from the behavior and to grow. The student will also have the opportunity to tell the student’s side of the story.

As part of the SELF Review process, students will also be encouraged to participate in the development of Individual Safety Management Plans that outline the issues that they are struggling with and provide specific options and strategies for the student to replace negative or unsafe behaviors with positive and safe behaviors. In developing these plans, students will engage in a range of facilitated conversations and practices to identify behavioral “triggers” and to heighten each student’s self-awareness of trauma and capacity to address it.

Notwithstanding CMCCS’s emphasis on a positive, supportive and Sanctuary Model-informed approach to discipline, CMCCS recognizes the need for clear rules, expectations and consequences and has incorporated disciplinary responses including due process considerations and procedures, to certain behaviors. CMCCS has adopted The Student Bill of Rights and Responsibilities developed by the NYCDOE, which as modified and attached is incorporated by reference into the Positive Behavior Supportive and Discipline Policy.



The CMCCS Positive Behavior Supportive and Discipline Policy and Student Bill of Rights and Responsibilities will be distributed to students and parents/guardians at the beginning of each school year

CMCCS Positive Behavior Support and Discipline Policy

Cardinal McCloskey Community Charter School's ("CMCCS" or the "School") Positive Behavior Support and Discipline policy is designed to hold students accountable for their behavior. The standards set forth in this policy apply to student behavior that occurs: a) in School during School hours; b) before and after School, while on School property; c) while traveling on School vehicles; d) at all School-sponsored events; and e) off School property when such behavior can be demonstrated to negatively affect the educational process or to endanger the health, safety, morals, or welfare of the School community. This policy also applies to student misconduct involving communication, gestures and/or expressive behavior, including oral, written and/or electronic communications such as texting, emailing, and social networking.

As a rule, discipline will be progressive, meaning that a student's first violation will usually merit a lighter consequence than subsequent violations. However, the School is not required to use progressive discipline and School staff may impose a more severe penalty for a first violation depending on the specific facts and circumstances of the incident.

In determining the appropriate disciplinary action, School personnel authorized to impose disciplinary consequences will consider the student's age, the nature of the offense and the circumstances that led to the offense, the student's prior disciplinary record, the appropriateness of other forms of discipline, information from parents/guardians, teachers, staff and/or other as appropriate, and other relevant factors.

All students, including those with disabilities, are expected to adhere to all School policies and behavioral codes. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to their district of residence's committee on special education, as required by law. Discipline, if warranted, shall be administered consistent with the School's Disciplinary Policy for Students with Disabilities. A student identified as having a disability shall not be disciplined for behavior related to their disability, except to the extent permitted by law.

Any weapon, alcohol, or illegal substance found will be confiscated immediately, if possible, followed by notification to the parent/guardian of the student involved. Appropriate disciplinary sanction may be imposed, if warranted, which may include permanent suspension and referral for prosecution.



Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to any staff member or administrator. Any student observing another student possessing a weapon, alcohol, or illegal substance on School property or at a School function shall report this information immediately to any staff member or administrator.

School personnel who are not authorized to impose disciplinary sanctions are expected to promptly report violations of School policy to their supervisor or the Principal

Progressive Discipline Policy

Understanding discipline as a “teachable moment” is fundamental to a positive approach to discipline with the ultimate goal of teaching pro-social behavior.

Level 1 Infractions – Uncooperative/Noncompliant Behavior

Level 1- infractions are minor misbehaviors on the part of the student which impede orderly classroom procedure or interfere with the orderly operation of the School. These acts should be handled by individual staff members but sometimes require the intervention of other School support personnel.

Level 1 Infractions include:

- Failing to be in one’s assigned place on School premises;
- Engaging in behavior that is disruptive to the educational process (e.g., making excessive noise in a classroom, library or hallway);
- Wasting learning time;
- Failing to complete homework/coursework;
- Calling out inappropriately;
- Complaining or whining;
- Sleeping/Head on desk/Slouching;
- Making inappropriate noises (e.g., fake sneezing/intentionally passing gas, burping etc.);
- Distracting another student from classwork;
- Passing a note during class;
- Being unprepared for class;
- Getting up and walking around the room without permission (tissue, garbage, replace materials, etc.);
- Talking/whispering with a neighbor when should be working;
- Excessive bathroom breaks;
- Engaging in rude or disrespectful behavior;



- Violating the School’s Uniform Policy;
- Posting or distributing material on School premises that is in violation of School policy;
- Violating the School’s Cell Phone and Electronic Devices Policy;
- Littering, leaving trash on tables, throwing trash on floor;
- Inability to let a joke go, or bring it back after a funny incident;
- Not handing in homework or poor quality homework; and
- Chewing gum or eating in class (without permission).

Classroom Teachers may choose one or more of the following consequences and are not limited from using more severe consequences.

- Teacher redirection;
- Verbal and nonverbal correction;
- Proximity;
- Visual prompts;
- Offer choice;
- Deductions of PBIS points;
- Note home or email to parents/guardians;
- Behavior management contract;
- Seat change;
- Restitution (based upon restorative justice);
- Peer mediation;
- Classroom service; and
- Use of Sanctuary Safety Plan.

Guidance interventions may include but are not limited to:

- Parent/guardian outreach;
- Intervention by counseling staff;
- SELF Review and development of a Safety Plan;
- Guidance conferences; and
- Voluntary referral to a community-based organization (“CBO”).

Range of Possible Disciplinary Responses include but are not limited to:

- SELF Review and development of a Safety Plan;
- Discussion with School staff;
- Student/teacher conference; and
- Student conference with appropriate school representative (e.g., teacher, Principal).



Level 2 – Infractions – Disorderly Behaviors

Level 2- infractions are frequent or serious misbehaviors that tend to disrupt the learning climate of the School and require the intervention of an administrator. This level of misbehavior does not represent a direct threat to the health and safety of others.

Level 2 infractions include:

- Recurring Level 1 infractions;
- Insubordination;
- Taking property without the owner's permission;
- Using profane, obscene, vulgar, lewd, or abusive, language or gestures;
- Lying or giving false information to School personnel;
- Misusing property belonging to others;
- Engaging in or causing disruptive behavior on the school bus; (SEE SCHOOL BUS BEHAVIOR POLICY)
- Leaving class or School premises during School hours without the permission of supervising School personnel;
- Engaging in inappropriate or unwanted physical contact (grades K-3 only);
- Violating the CMCCS Internet Safety Policy (e.g., using the School's computer network for non-educational purposes);
- Copying another student's schoolwork, homework, and/or test/quiz;
- Using unauthorized material during a test/quiz; and
- Collaborating with another student during a test/quiz without authorization.

Classroom Teachers may choose one or more of the following consequences and are not limited from using more severe consequences.

- Continuation of Level 1 consequences;
- Removal of student from full grade lunch periods;
- Student/teacher conference;
- Apology;
- Reflection sheet;
- Loss of privilege;
- Parent/guardian contact to seek family support in the correction of the behavior; and
- Restorative Conferences may occur for older students.

Guidance interventions may include but are not limited to:

- Parent/guardian outreach;
- Voluntary intervention by counseling staff;
- SELF Review and development of a Safety Plan;
- Guidance conferences;



- Individual/Group counseling; and
- Voluntary referral to a CBO.

Range of possible disciplinary responses may include but are not limited to:

- SELF Review and development of a Safety Plan;
- Admonishment by school staff;
- Student/teacher conference;
- Student conference with the Principal or other appropriate administrator;
- Parent/guardian conference;
- In-school disciplinary action (e.g., exclusion from extracurricular activities, recess or communal lunchtime); and
- Removal from classroom by teacher.

Level 3 Infractions – Disruptive Behavior

Level 3 - infractions are acts directed against persons or property but do not seriously endanger the health or safety of others in the School.

Level 3 infractions include:

- Aggressive behavior;
- Using slurs based upon actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, religion, gender, gender identity, gender expression, sexual orientation, or disability;
- Shoving, pushing, or engaging in a minor altercation or similar physical confrontational behavior towards students or School personnel;
- Bringing unauthorized persons to School or allowing unauthorized visitors to enter School in violation of written School rules;
- Tampering with, changing, or altering a record or document of the School by any method, including computer access or other electronic means;
- Engaging in inappropriate or unwanted physical contact;
- Engaging in vandalism, graffiti, or other intentional damage to School property or property belonging to staff, students, or others;
- Smoking; and
- Violation of the Student Technology Device Use Agreement Form.

Classroom Teachers may choose one or more of the following consequences and are not limited from using more severe consequences.

- Continuation of Level 1 and 2 consequences;
- Lunch alone; and



- Up to one-day removal from class (for students grades K-2) and up to 4-day removal from class (for student's grades 3-5).

Parent/Guardian Contact will occur as the School seeks family support in the correction of the behavior. Restorative Conferences may occur for older students.

Guidance interventions may include but are not limited to:

- Parent/guardian outreach;
- Voluntary intervention by counseling staff;
- SELF Review and development of a Safety Plan;
- Guidance conferences;
- Individual/Group counseling;
- Voluntary referral to a CBO;
- Conflict resolution;
- Community service (with parental/guardian consent); and
- Voluntary referral to appropriate counseling services.

Range of Possible Disciplinary Responses may include but are not limited to:

- SELF Review and development of a Safety Plan;
- Admonishment by School staff;
- Student/teacher conference;
- Reprimand by the Principal or other appropriate administrator;
- Parent/guardian conference;
- In-school disciplinary action (e.g., exclusion from extracurricular activities, recess or communal lunchtime);
- Removal from classroom by teacher; and
- Out-of-School suspension.

Level 4 Infractions—Aggressive or Injurious/Harmful Behavior

Level 4- infractions are acts that result in violence to another person's property, or which pose a serious threat to the safety of others in the School, or which cause serious disruption to the educational process.

Level 4 infractions include:

- Posting or distributing, displaying inappropriate photos of another student or self;
- Making sexually suggestive comments, innuendos, propositions or similar remarks, or engaging in nonverbal or physical conduct of a sexual nature (e.g., touching, patting, pinching, lewd or indecent public behavior, or sending or posting sexually suggestive messages or images);



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- Bringing prohibited equipment or material to School without authorization (e.g., baseball bats, aerosol cans, matches, lighters, laser pointers);
- Sharing literature or material containing a threat of violence, injury or harm, or depicting violent actions against or obscene, vulgar or lewd pictures of students or staff (including posting such material on the Internet);
- Engaging in physically aggressive behavior other than minor altercations, which creates a substantial risk of or results in minor injury;
- Engaging in an act of coercion or threatening or instigating violence, injury or harm to another or others;
- Engaging in behavior on the school bus which creates a substantial risk of or results in injury;
- Engaging in harassing, intimidating and/or bullying behavior, including using electronic communication to engage in such behavior (cyberbullying);
- Engaging in physical violence, including but not limited to stalking and verbal, written, or physical conduct that threatens another with harm;
- Seeking to coerce or compel a student or staff member to do something;
- Taunting- remark, gesture, or insult intended to demoralize the recipient, or to anger them and encourage reactionary behaviors;
- Possessing, using, selling, or distributing controlled substances or prescription medications without appropriate authorization, illegal drugs, synthetic hallucinogens, drug paraphernalia, and/or alcohol;
- Taking or attempting to take property belonging to another or to the School without authorization;
- Falsely activating a fire alarm or other disaster alarm;
- Creating a substantial risk of serious injury by either recklessly engaging in behavior, and/or using an object that appears capable of causing physical injury; and
- Causing serious injury by either recklessly engaging in behavior, and/or using an object that appears capable of causing physical injury.

Classroom Teacher Responses may choose one or more of the following consequences and are not limited from using more severe consequences.

- Continuation of Level 1, 2, and 3 consequences;
- Family conference (including re-entry restorative plan);
- Student support team and/or external services as needed.

Guidance interventions may include but are not limited to:

- Parent/guardian outreach;
- Voluntary intervention by counseling staff;
- SELF Review and development of a Safety Plan;



- Guidance conferences;
- Voluntary individual/group counseling;
- Conflict resolution;
- Community service (with parental/guardian consent);
- Voluntary referral to a CBO; Voluntary referral to appropriate counseling services.

Range of possible disciplinary responses may include but are not limited to:

- SELF Review and development of a Safety Plan;
- Parent/guardian conference;
- In-school disciplinary actions (e.g., exclusion from extracurricular activities or communal lunchtime);
- Removal from the classroom;
- Sent home early;
- In-school suspension;
- Out-of-school suspension for 1-5 days.

Level 5 - Seriously Dangerous or Violent Behavior

Level 5 - infractions are acts that result in violence to another person's property, or which pose a serious threat to the safety of others in the School, or which cause serious disruption to the educational process. These acts are so serious that they always involve administrative action. They will result in removal of the student from school and sometimes the intervention of law enforcement and action by the Principal.

Level 5 infractions include:

- Starting a fire;
- Instigating, or participating with another or others, in an incident of group violence;
- Engaging in gang-related behavior (e.g., wearing or displaying gang apparel and/or accessories, writing graffiti, making gestures or signs);
- Threatening to use or using force to take or attempt to take property belonging to another;
- Using force against, or inflicting or attempting to inflict serious injury against School personnel or school safety agents;
- Using force against or inflicting or attempting to inflict serious injury upon students or others;
- Engaging in physical violence/compelling or forcing another to engage in sexual activity;
- Possessing or selling any weapon, other than a firearm, bomb, or other explosive;
- Threatening to use a weapon to attempt to inflict injury upon school personnel, students, or others;
- Using any weapon, other than a firearm, bomb, or other explosive to inflict injury upon School personnel, students, or others;



- Possessing or using a firearm, bomb, or other explosive.

Classroom Teacher Responses may choose one or more of the following consequences and are not limited from using more severe consequences.

- Continuation of Level 1, 2, 3, and 4 consequences;
- Family conference (including re-entry restorative plan);
- Student support team and/or external services as needed.

Guidance interventions may include but are not limited to:

- Parent/guardian outreach;
- Voluntary intervention by counseling staff;
- Guidance conferences;
- Voluntary individual/group counseling;
- Conflict resolution;
- Community service (with parental/guardian consent);
- Voluntary referral to a CBO;
- Voluntary referral to appropriate counseling services.

Range of Possible Disciplinary Responses may include:

- In-school suspension;
- Out-of-school suspension for 1-10 days;
- Out-of-school suspension that results in continued suspension for a fixed period of 6-10 school days;
- Out-of-school suspension that results in extended suspension for 30 to 90 school days with an automatic review for early reinstatement after 30 or 60 school days;
- Out-of-school suspension for remainder of the school year or longer;
- Expulsion, to the extent permitted by law; and
- Referral to appropriate law enforcement agency.

Guidelines and Procedures for Student Suspensions

Suspensions will be used to the minimum degree necessary to improve student behavior and maximize student attendance. Suspensions will be limited to students who pose an immediate or ongoing threat to oneself or others or are repeatedly and substantially disruptive.

The amount of due process that a student is entitled to receive before a suspension is imposed depends upon the alleged infraction. In all cases, the School will inform the student and the student's parent/guardian of the alleged misconduct and will investigate, to the extent necessary, the facts surrounding the alleged misconduct.

1. Teacher 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. A student who engages in behavior that is substantially disruptive to the education process or substantially interferes with a teacher's authority over the classroom, may be removed from the classroom, to the extent permitted by law and regulation. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions. A removal of a student from class will be up to two (2) school days. All removed students must be permitted to attend classes that are taught by teachers other than the teacher requesting the removal.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why they are being removed and an opportunity to explain their version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger of ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why they were removed from the classroom and give the student a chance to present their version of the relevant events within twenty-four (24) hours. (If the twenty-four (24) hour period does not end on a school day, the time period will be extended to the corresponding time on the next school day.)

The teacher must discuss with the Principal or designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal. If the Principal or designee is not available by the end of the same school day, the teacher will leave a message with the Principal's secretary and discuss with the Principal or designee prior to the beginning of classes on the next school day.

Within twenty-four (24) hours after the student's removal, the Principal or designee shall notify the student's parent/guardian in writing that the student has been removed from class and why. The notice will inform the parent/guardian that they and the student have the right, upon request, to meet informally with the Principal or designee to discuss the reasons for removal. (If the twenty-four (24) hour period does not end on a school day, the time period will be extended to the corresponding time on the next school day).

The written notice will be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to ensure receipt of the notice at the last known address(es) for the parent/guardian within twenty-four (24) hours of the student's removal. Where possible, notice should also be provided by telephone and e-mail if the School has been provided with a telephone number(s) or e-mail address for the purpose of contacting the parent/guardian. (If the twenty-four (24) hour period does not end on a school day, the time period will be extended to the corresponding time on the next school day).

The informal meeting, if requested by the parent/guardian, will be held within forty-eight (48) hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent/guardian and Principal or designee. 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 Principal or designee must explain why the student was removed and give the student and the student's parent/guardian a chance to present the student's version of relevant events.

The Principal or designee may overturn the removal if the Principal or designee finds that the charges against the student are not supported by substantial evidence or the student's removal is in violation of law or School policy. The Principal or designee may overturn a removal at any point between receiving the referral from the classroom teacher and the close of business on the day following the forty-eight (48) hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the Principal or designee makes a final determination or the period of removal expires, whichever is less.

If the conduct warrants suspension from School, the Principal may impose a suspension in accordance with School policy and law.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until they are permitted to return to the classroom. No teacher may remove a student with a disability from their class until they have verified with the Principal that the removal will not violate the student's rights under state or federal law or regulation.

2. In-School Suspension

The Principal or designee is authorized to place students who would otherwise be suspended from school as a result misconduct in "in-school suspension." A student subjected to in-school suspension is not entitled to a full hearing. The student and the student's parent/guardian will be provided with a reasonable opportunity for an informal conference with the Principal or designee to discuss the conduct and the penalty involved.

3. Short-Term Suspension (5 School Days or Less)

The Principal has the authority to suspend a student for misconduct for a period of up to and including five (5) school days. Where the Principal proposes to suspend a student charged with misconduct for five (5) school days or less, the student will be notified orally immediately. If the student denies the misconduct, the Principal will provide an explanation of the basis for the proposed suspension.

The School will provide the student's parent/guardian with written notice of the suspension within twenty-four (24) hours of the proposed suspension and an opportunity to discuss the behavior with the Principal. The written notice will be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within twenty-four (24) hours of the decision to propose suspension at the last known address of the parent/guardian. Where possible, the School will attempt to provide notice telephonically and by e-mail to the student's parent/guardian.



The notice provided to the student's parent/guardian will provide a description of the charges against the student and the incident for which suspension is proposed and shall notify the parent/guardian of the right to request an informal conference with the Principal. The notice will inform the parent/guardian of the student's right to confront complaining witnesses in accordance with law. The notice and opportunity for an informal conference will take place before the student is suspended unless the student's presence in School poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. In such circumstances, the notice and opportunity for an informal conference will take place as soon after the suspension as is reasonably practicable.

After the conference, the Principal will advise the student's parent/guardian in writing of their decision. The Principal shall advise the parent/guardian that if they are not satisfied with the decision they may file a written appeal to the Board of Trustees (the "Board") within 15 calendar days of the Principal's decision, unless the parent/guardian can show that extraordinary circumstances precluded them from doing so.

All appeals to the Board must be in writing and submitted to the Board President. The Board may adopt in whole or in part the decision of the Principal. Only final decisions of the Board may be appealed to the Commissioner of Education within thirty (30) days of the Board's decision.

4. Long-Term Suspensions (More than 5 School Days)

Where the Principal determines that a suspension for more than five (5) school days (i.e., a long-term suspension) may be warranted, the student is afforded such due process as required by law.

When the Principal determines that a long-term suspension may be warranted, they shall give notice to the student and the student's parent/guardian of their right to a fair hearing. The notice shall provide the student with a description of the charges against the student and an explanation of the basis for the suspension.

At the hearing, the student shall have the right to be represented by counsel, the right to question witnesses against the student, and the right to present witnesses and other evidence on their behalf.

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

If a parent/guardian are not satisfied with the Principal's decision, they may appeal such decision to the Board who will make its decision based solely on the record before it. All appeals to the



Board must be in writing and submitted to the Board President within 15 calendar days of the date of the Principal's decision, unless the parent/guardian can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Principal. Only final decisions of the Board may be appealed to the Commissioner of Education within thirty (30) days of the Board's decision.

Where the basis for a suspension is, in whole or in part, the possession of a weapon on School property or School grounds by the student, the Principal or hearing officer shall not be barred from considering the admissibility of such weapon, instrument, or appliance as evidence, notwithstanding a determination by a court in a criminal or juvenile delinquency proceeding that the recovery of such weapon, instrument, or appliance was the result of an unlawful search and seizure.

5. Possession of a Weapon

Any student found guilty of possessing a weapon on School property may be subject to suspension from school for up to one (1) calendar year. The Principal may modify this suspension, in writing, for a student on a case-by-case basis. The Principal may consider the following factors in making such decision: (1) the student's age; (2) the student's grade; (3) the student's prior disciplinary record; (4) the Principal's belief that other forms of discipline may be more effective; (5) input from parents/guardians, teachers, and/or others; and (6) other extenuating circumstances.

For purposes of this policy, the term "*weapon*" means a firearm as defined in 18 USC § 921, for purposes of the Gun-Free Schools act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death.

6. Alternative Instruction

To the extent required by law, the School will provide alternative instruction to a student of compulsory attendance age who is suspended from school and to a student of compulsory attendance age who has been recommended for expulsion while awaiting a determination as soon as practicable.



SCHOOL BUS BEHAVIOR POLICY CONTRACT

Dear Parents and Guardians of CMCCS transportation students:

Please read the following notice in its entirety as there is information on behavior expectations on the bus. Additionally, this document will provide you with the specific steps we will follow when handling incident reports.

Riding the school bus is a privilege not a right. A student's bus privileges may be suspended for inappropriate behavior, violation of safety rules, or to ensure the health and safety of other students, motorists, and the general public. We ask that you speak with your child about bus behavior expectations. Students are expected to behave on the bus as they do in School. We care for the safety of your child.

Student Behavior Expectations on the School Bus:

- Respect yourself and others.
- Arrive to the bus stop at least five (5) minutes before your scheduled pick-up time.
- Wait for your bus at your assigned stop in a safe place away from the road.
- Do not push on or near the bus. Do not run to or from the bus.
- Remain in your seat with your back to your seat and feet in front.
- Keep feet and legs out of the aisle and to yourself.
- Always remain seated while riding the bus.
- Listen and follow directions of the bus driver and/or monitor.
- Report problems to bus staff **IMMEDIATELY**.
- Be kind with words and actions.
- Talk quietly, use your inside words.
- Respect bus property and equipment.
- Never throw anything out the bus window.
- Get on and off the bus safely.
- No eating or drinking on the bus.

BULLYING IS NOT ALLOWED UNDER ANY CIRCUMSTANCES.

Violations of this policy include, but are not limited to:

- Violating any School policies or the expectations above while riding the school bus;



- Refusing to follow driver directions;
- Standing or sitting improperly while the bus is moving;
- General horseplay or making loud noises; and
- Parent/Guardian delaying bus services by arriving late to pick up/drop off students.

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY

- 1st Incident Report - Warning: Parent/guardian will be contacted via email with the report attached.
- 2nd Incident Report - One (1) day suspension from the bus. Parent/guardian will receive a report via email.
- 3rd Incident Report - Suspended from the bus for three (3) days. Administration will request a parent/guardian conference in person or via Zoom. The report will be sent via email.
- 4th Incident Report - Permanently removed from the bus

Parent/Guardian Signature: _____

Date: _____



CARDINAL McCLOSKEY COMMUNITY CHARTER SCHOOL



School Bus Student Incident Report

Incident Number: _____
Call OPT for Incident Number
(718) 392-8855

TO:

1 Recipient's Name	2 Recipient's Title <input type="checkbox"/> Principal <input type="checkbox"/> Teacher
3 School's Name and/or Number	4 School Borough

FROM:

5 Bus Company's Name	6 Bus Driver's Name
7 First Attendant's Name	8 Second Attendant's Name

INCIDENT DETAILS

9 Date of Incident	10 Time <input type="checkbox"/> AM <input type="checkbox"/> PM	11 Location of Incident	12 Route Number
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13 Please list each student involved in the incident, use an additional sheet if needed:

Student's Name	Student's School Name	General Ed. (GE) or Special Ed. (SE)	Student ID Number	Student's Sex
		<input checked="" type="checkbox"/> GE <input type="checkbox"/> SE		
		<input checked="" type="checkbox"/> GE <input type="checkbox"/> SE		
		<input type="checkbox"/> GE <input type="checkbox"/> SE		
		<input type="checkbox"/> GE <input type="checkbox"/> SE		
		<input type="checkbox"/> GE <input type="checkbox"/> SE		

Chancellor's Regulation A-412 requires that schools file an occurrence report for all student incidents within 24 hours. Incidents include, but not limited to: bullying, student illness, student accident, student conflict, infractions of discipline code, etc.

14 Please describe the incident:

15 Full Name of First Witness to Incident (if available)	16 Full Name of Second Witness to Incident (if available)
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17 Preparer's Signature	18 Today's Date
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STOP - FOR SCHOOL USE ONLY