



Appendix A: BELA EmpowerMEnt Guide

BELA EmpowerMEnt Guide

BELA's mission is to empower each young woman to be the best version of herself. With this in mind, the BELA EmpowerMEnt Guide serves as the foundation for our cultural beliefs and behavioral expectations for student conduct and adult interventions.

Philosophy

School culture and climate are often determining factors for young women successfully completing high school. BELA is committed to ensuring the safety and support of each student that enters our doors, with the goal being high school completion and college graduation. This Guide aims to teach our young women the life long skills necessary to become self advocates, negotiate healthy relationships and boundaries, and seek ways to repair and restore discord in their relationships and communities.

BELA's EmpowerMEnt Guide reflects a holistic way of working with our young women. Thus, our approach is individualized and inclusive of the young women we serve. If a problem occurs, students will always be asked to solve it. If they are unable or unwilling to solve it, staff will do something that is relevant to that individual student and that individual situation. This consequence may take time for the staff person to develop as it will depend on the learning needs of that student within that circumstance.

The cornerstone of the EmpowerMEnt Guide is for all community members to participate in a learning environment that fosters academic and social-emotional growth. With this comes a commitment to engaging in constructive communication that contributes to dignity and respect for all.

Guiding Principles

At BELA, our approach to behavior is grounded in and influenced by the following:

- Adolescent Developmental Needs

We acknowledge that our students are still developing physically, mentally, and emotionally. We support them in finding healthy outlets that meet these needs.

- Restorative & Transformative Practices

Restorative practices empowers students by teaching respect, responsibility, relationship building and relationship repair as the cornerstone of community building and conflict resolution. Transformative practices include ways to build a stronger community, identify the core of behavior, and heal deeply held injuries that impact behaviors.

- Love and Logic©



Love and Logic© offers simple and practical techniques for adults that support students in learning and growing through their mistakes, while living with the consequences of their choices.

- Trauma and Its Impact on Brain Development

We acknowledge that many of our students have been impacted by trauma at some point in their lives. This trauma creates a shift in the functioning of the brain, at times affecting behavior. Acknowledging this, we foster a culture of relationship building where students feel valued, safe and respected.

- Family Engagement

We recognize the essential role families play within our school community. Staff and families have an open line of communication. Families are contacted regularly to provide positive feedback, information, and to support their student in areas of growth.

BELA Staff's Core Beliefs

- We believe we must honor the dignity of both student and adult.
- We believe that everyone should have the opportunity to tell their side of the story.
- We believe in supporting the self-esteem and self-image of students, families and staff.
- We believe there should be a connection between behavior and consequences.
- We believe that behavior should be viewed as a learning opportunity for individual problem solving and reflection.
- We believe a student's thinking should be guided when necessary and always valued.
- We believe that students should be given the opportunity to make decisions and own the outcome in the BELA community, with the support of a trusted adult.

BELA Community Agreements

BELA's Inaugural Class has come up with the following community agreements- expectations for all of our community members to adhere to:

Sisterhood: Students will...

- Be mindful of their tone, body language and words.
- Respect each other's privacy, personal property and boundaries.
- Be open to other people's ideas or opinions.

Scholarship: Staff will...

- Have a positive and supportive attitude.
- Be honest, fair and respectful in tone and actions.
- Have direct conversations to redirect behavior.

Strength: Students will...

- Be positive, on time and on task.



- Speak respectfully and listen while others are speaking.
- Show leadership by being responsible, trustworthy and supportive.

Service: Everyone will...

- Be respectful of our learning environment
 - Food Room Furniture
 - Classroom Hallways
 - Bathrooms Stairwells
- Refrain from eating or drinking around technology.

Learning Environment Rubric

The BELA Learning Environment Rubric (see table below) outlines expectations for student behavior.

Domain 3: Learning Environment

Standard	Indicators	Level IV	Level III	Level II	Level I
		I always follow expectations.	I follow expectations most of the time .	I sometimes follow expectations.	I do not follow expectations.
3.2 Manage student behavior through clear expectations and a balance of positive reinforcement, reminding, and redirection	A) Behavioral expectations	I consistently accept responsibility for my behavior; uphold BELA's learning expectations (core values and community agreements); and positively support peers in achieving learning standards	I accept responsibility for my behavior and actions; uphold standards of BELA learning expectations (core values and community agreements); and support peers most of the time in achieving learning standards	I rarely accept responsibility for my behavior and actions; uphold BELA's learning expectations (core values and community agreements); and do not consistently support peers in achieving learning standards.	I do not accept responsibility for my behavior nor actions; disregard BELA's learning expectations (ex. core values and community agreements); nor do I support peers in achieving learning standards.
3.3 Establish a culture of respect and rapport which supports students' emotional safety	A) Interactions between teacher and students	I am consistently professional and respectful in my learning community (in language, tone and body language); respect boundaries of others; and adjust to learning focused behavior independent of the teacher redirection.	I am respectful in my learning community most of the time (in language, tone and body language); generally mindful of boundaries; and I readily adjust to learning focused behavior when I am asked most of the time.	I am sometimes disrespectful in my learning community (in language, tone and body language); sometimes disrespectful of boundaries; and I am slow to adjust to learning focused behavior even when asked.	I am disrespectful within the learning community (using unprofessional and disrespectful language, ex. name calling); not respectful of boundaries (for example: not asking before I touch a teacher or their things); and I do not return to learning focused behavior.
3.3 Establish a culture of respect and rapport which supports students' emotional safety	B) Student interactions with each other	I consistently display respect for my peers within the learning environment by using polite, respectful and supportive words and actions, and help peers mediate conflict appropriately.	Most of the time , I am polite, respectful, and supportive of other students and their personal space; usually use professional language and tone; and mediate conflict when I can.	I sometimes use inappropriate language within the learning environment, disrespect the physical space of others and am unable to mediate conflict when it arises.	I do not use professional language or tone in the learning environment. My interactions consist of conflict, sarcasm, or put-downs, which interferes with the learning of others; I do not participate in assignments or complete activities.
3.4 Use smooth and efficient transitions, routines, and procedures	A) Routines, procedures, and transitions	I am consistently prepared for class and maximize my learning time by following transitions, routines, and procedures independently.	Most of the time , I am prepared for class and maximize learning time by following the transitions, routines, and procedures with some redirection from my teacher.	I do not consistently come to class prepared and do not follow the transitions, routines, and procedures with some teachers. The teacher often has to redirect me during transitions and routines.	I do not come to class prepared, nor do I follow transitions, routines and procedures within the learning environment, creating disruptions within the community. The teacher regularly redirects me.

BELA's Love and Logic School Wide Approach to Addressing Concerning Behaviors

1. Treat others with the same respect with which you are treated by the adults in this school.



2. Your actions, dress and possessions, etc. may not cause a problem for anyone else.
3. If you cause a problem, you will be asked to solve it.
4. If you cannot solve the problem, or choose not to, staff members will use their best judgement to provide an appropriate consequence that aligns with the particular person and situation.
5. If students and/or families feel that the consequences are unfair, they should request a family conference to further discuss with staff.

Community Building and Celebrations

Sisterhood Circle Shout Outs

As a community, we regularly recognize and acknowledge the growth, progress and accomplishments of all. Anyone can submit a shout out nomination directly to our Head of School for an individual to be applauded in the community.

Sisterhood Sit Ins

There are times when an incident may occur within the school or global community, requiring our collective attention. Alternatively, there may be school wide concerns that arise. As a community, we have an extended Sisterhood Circle to discuss presenting issues and express creative solutions. Sit-ins are intended to heal and rebuild the community as a whole.

Dress Down Days

Students who regularly comply with dress code are entitled to designated dress down days.

Classroom Community Agreements

All classroom teachers are expected to create classroom agreements, along with their students, at the beginning of the school year and revisit each trimester. This offers students the opportunity to be clear on what the classroom norms are and co-create a healthy learning environment.

Circles

Used proactively to promote community building, circles may also be used if there are conversations that need to happen to repair a classroom or school community. Additionally, if a student has been absent from the community for an extended period of time, a circle may be held to re-invite her into the community.

Dignity for All Students Act

We are committed to providing a positive, safe, and supportive school environment conducive to learning. This environment is based on building positive and supportive relationships and a growth mindset, establishing collaborations and ensuring that students feel safe, valued, supported, respected, and encouraged. This Code of Conduct has incorporated the Dignity for All Students Act (DASA) created to provide students with an educational environment free of discrimination, bullying and other forms of intimidation or harassment.



Bullying

Bullying is strictly prohibited on school property and at any school function, as well as any other place or time when the effects of such conduct would reasonably be expected to impact the educational process or create a risk disruption within the school environment.

“Bullying” for the purpose of this policy is defined as harassment, aggressive behavior or other intentional action, whether verbal or physical, which is intended, or could reasonably be expected, to cause Emotional Harm, distress, fear, ridicule, humiliation and/or intimidation. Bullying can be face-to-face, or carried out by phone, over the internet and other ways directed at another person through the "posting" of sensitive and/or private information, including Cyberbullying: “Cyberbullying” means Bullying through any form of electronic communication, such as email, text, and social media (e.g., Facebook, Twitter, Snapchat, and Instagram). Bullying can take many forms, such as slurs, jokes, innuendos, demeaning comments, cartoons, pranks, gestures, and physical attacks. (“Intentional action” refers to the individual’s choice to engage in the act rather than the ultimate impact of the action(s).)

This policy includes Bullying of students (by other students, employees, volunteers and visitors) and by students (of employees, volunteers and visitors).

Bullying by students will result in discipline, up to and including expulsion. Bullying by employees will result in disciplinary action, up to and including termination of employment.

Harassment and Discrimination

All students are entitled to a learning environment free from harassment and Discrimination. No student or Employee shall be subjected to Discrimination or harassment by other students, Employees or visitors on the basis of physical, cultural or even social differences, including, without limitation based on his or her actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, sex, gender identity, or gender. “Harassment” includes any action (verbal or physical) which tends to create a hostile environment (including Bullying and Cyberbullying) and has substantially interfered with a student’s educational opportunities or benefits or the terms and conditions of an Employee’s employment, reasonably causes a student or Employee to fear for his or her physical safety, or reasonably poses a risk to a student’s or Employee’s physical or emotional well-being. Just like Bullying, Harassment that occurs off School Property may be prohibited when the effects of such conduct would reasonably be expected to impact the educational process or create risk of disruption within the School environment.

Harassment by students will result in discipline, up to and including expulsion. Harassment by employees will result in disciplinary action, up to and including termination of employment.

We value and embrace our inclusive and diverse school community and strive to provide a welcoming, safe and supportive environment for all students and families regardless of their race, color, ethnicity, religion, gender, disability, sexual orientation and gender identity. If a student or his or her family would like to explore a particular accommodation based upon cultural or religious practices, or due to one’s disability, sexual orientation, gender identity or other protected characteristic, the student or the



student's parents or guardian should contact a school leader or adult the student feels comfortable with to schedule a meeting to discuss a plan to address the student's particular circumstances and needs.

Reporting and Investigation of Complaints of Harassment/ Discrimination and Bullying

Any staff member who witnesses, receives an oral or written account of, or otherwise reasonably suspects the occurrence of, any act constituting Harassment, Discrimination or Bullying *must* promptly notify the principal, superintendent, or the Dignity for All Students Act (DASA) Coordinator of such occurrence as soon as reasonably practicable, but no later than one school day of witnessing or receiving a report of Harassment, Discrimination or Bullying. Such staff member is required to file a written report with the principal, superintendent or the DASA Coordinator no later than two school days after such oral report or notification. Reporting forms shall be made available in the school's main office.

BELA's DASA Coordinators are our Student Life Coordinator and Dean of Student Life. The DASA Coordinators are trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender, gender identity and other protected characteristics. The DASA Coordinator will be accessible to students and staff members for consultation and advice.

All students, parents, visitors and others are *strongly encouraged* to report any such conduct. Retaliation or reprisal by any staff member, student or parent against any individual who, in good faith, reports or assists in the investigation of Harassment, Discrimination or Bullying is strictly prohibited (and, for students and staff members, will result in severe discipline). All complaints will be treated in a confidential manner. Please note that anonymous reports may limit our ability to effectively and efficiently respond to the complaint.

The head of school or the DASA Coordinator will lead or supervise the prompt and thorough investigation of all such reports. If such investigation results in a finding of a violation of our anti-Harassment/Discrimination/Bullying policies, we will take prompt action, reasonably calculated to end the Harassment/Discrimination or Bullying, eliminate any hostile environment, prevent recurrence of the behavior, and ensure the safety and educational opportunities of the student(s) or staff member(s) against whom such behavior was directed.

We reserve the right to notify an appropriate law enforcement agency when we believe that any Harassment/Discrimination/Bullying constitutes criminal conduct. Material incidents of discrimination and harassment will also be reported to the State Education Department as required by law.

BELA Consequences and Interventions

Student disciplinary offenses are those actions or inactions that violate our code of conduct or interfere with the delivery of educational services, jeopardize the health, safety, and well-being of any member of our community, or threaten the integrity and stability of our school.

- A disciplinary offense may occur while the student is: at school and/or on school grounds; participating in a school-sponsored activity; walking to or from school or a



school-sponsored event; walking to or from, waiting for, or riding on provided transportation; or walking to or from, waiting for, or riding on public transportation to and from school or a school-sponsored activity conducted off school grounds.

- School-related disciplinary offenses may also include misconduct outside the school, such as social media if such discipline is reasonably necessary for the physical or emotional safety, security, and wellbeing of the student, other students, or staff on School grounds, and their conduct could materially and substantially interfere with the requirements of appropriate discipline in the operation of the School.

School administration will use their professional judgment in determining which disciplinary action(s) will be most effective in dealing with the student's misconduct, taking into account the following factors:

- The student's age and their maturity level;
- The nature and seriousness of the infraction, and the circumstances which led to the infraction;
- The student's previous disciplinary record;
- The effectiveness of other forms of discipline;
- Information from parents, teachers and/or others, as appropriate; and
- The student's attitude, and other relevant factors.

Below is a non-comprehensive list of some potential consequences and interventions for behavior that creates a problem within the community.

TIER 1 INTERVENTIONS: Students remain in classroom

- Constructive Reminders and Warnings: Students will always be given an opportunity to self-correct behaviors. This is the initial step in most interventions and includes a respectful reminder to return to task.
- Phone Calls: Staff is expected to be in regular communication with families, offering specific examples of student's successes and/or challenges. Phone calls to families may also occur to collaborate with staff and students about academic and/or behavioral goals and interventions.
- Apology Letter/Statement: Students may be asked to compose an apology letter to someone in the community. Apology letters or statements are authentic ways to respond and put into words how one is feeling. It also means trying to make a positive change from a negative circumstance.



- **Transformative Conferences/ Circles:** This is a scheduled conflict resolution meeting to discuss what harm was done, what can be done to improve the situation and rebuild any relationships that need to be rebuilt. This is a mediation meeting that may include staff, peer(s) and/or with family. This may include a formal write up/ contract of expectations.
- **Collaborative Problem Solving:** Student and staff Identify and understand each other’s concern about the problem to be solved. The student and staff work to brainstorm solutions together, to assess potential solutions, and select one that is both realistic and mutually satisfactory. This may be formalized in writing, based on the circumstance.

TIER 2: Outside of Classroom Interventions

- **Community Service:** Staff and/or students may decide that the best way to repair a harm done to the community is to provide service to the community (examples include aiding staff in cleaning up or organizing a particular room or space, offering a presentation about a subject related to the infraction)
- **Thinkery Referral:** This is used to preserve the classroom learning environment when students become disruptive and don’t respond to other techniques. Students will be sent to a separate location, with adult supervision, to cool off or take time out to “think”. The student is welcome to return to class once she eliminates the disruption. Follow up conversations will be scheduled at a later time.
- **Referral to SW Team:** Staff or students may express a concern rooted in a deeper cause. Families, students and/or staff may solicit the support of a social worker for additional support of a student’s social or emotional needs.
- **Family Conference:** When staff has exhausted all opportunities to gain a student’s cooperation and the student continues to refuse to participate, families will be asked to come in for a face to face meeting for collaboration and support. While rare, and depending on the severity of the situation, students may be removed from the classroom/community until families are able to meet.
- **Teacher Led Communication:** Teachers are invited to host their own mandatory lunch conversations with students that have created disruption within their classrooms. This offers an opportunity for the student and teacher to spend time with one another and build/rebuild their relationship.



- Mediation: When a conflict arises, the expectation is for the parties in disagreement to meet with one another, discuss concerns and resolution strategies. The Student Life Team is here to support in conflict resolution meetings and strategies for students and staff.

TIER 3: Out of School Interventions

In-School Community Removal

Students involved in misconduct that does not pose a danger to staff, students, or severely disturb the learning environment may be assigned an in-school. In School Community Removal involves placement of the student in another area of the school building where the student will receive equivalent alternative instruction. The School will work with the student and the student's family to generate a re-entry restorative plan. Students assigned to In School Community Removal are not permitted to participate in all-school sponsored extracurricular activities (e.g., sports practices and games, recess, field trips, clubs, special programs, etc.) during this.

Short-term Community Removal

If the student breaches the discipline policy aligned with the School's code of conduct in a manner that requires an immediate short-term community removal (10 days or less), then the following procedures will be in place:

- The student is removed from class and school if the student's presence in school poses a continuing danger to persons or property or is an ongoing threat of disruption to the academic process; otherwise, the student is brought in for a meeting;
- The student is made aware of his or her infraction(s), and the resulting consequence;
- The student may respond to the allegations against them;
- A written notice will be sent to the parent/guardian within 24 hours of the community removal. There will also be an attempt to notify the guardian by telephone the day of the infraction and, if possible, send the student home with the parent's permission or ask for a parent to pick the student up to begin the community removal immediately. Any non-English speaking parent will be informed, both verbally and in print, in their native language.
- The notice will briefly describe the incident and will state how long the student will be removed from the community.
- After the community removal,, a parent/guardian is required to have a resolution conference with an administrator and/or designee about the incident, in person or via phone. A statement of understanding may be given to the parent to sign in the resolution conference with the administrator, and/or designee.

During any community, students are also removed from all-school sponsored extracurricular activities (e.g., sports practices and games, recess, field trips, clubs, special programs, etc.).



Long-term Community Removal or Expulsions

Expulsion is defined as a permanent removal of a student from school due to extreme non-compliance with the School's rules or local, state or federal laws. Under certain circumstances, students may be subject to long term community removal and/or expulsion. In addition, any breaches of local, state or federal law may be handled in cooperation with the local police department and may result in expulsion.

The School may seek to impose a long-term community removal or expulsion when such action is warranted by circumstance. If a student commits an infraction that requires a long-term community removal (more than 10 days) or expulsion, then the following procedures will be followed:

- The student is removed from class and school if the student's presence in school poses a continuing danger to persons or property or is an ongoing threat of disruption to the academic process; otherwise, the student is brought in for a meeting;
- The student is made aware of the infraction, and the resulting consequence;
- On determination that the student's behavior indeed requires a possible long-term community removal, the Principal or Dean of Student Life will state to the student that he or she is being considered for a long-term community removal or expulsion, and the reason for this action;
- A written notice is sent to the parent/legal guardian within 24 hours of the community removal.. There will also be an attempt to notify the parent/legal guardian by telephone the day of the infraction and, if possible, send the student home with the parent's permission or ask for a parent to pick the student up to begin the community removal immediately. The parent will be informed that a meeting is to take place to weigh the evidence and consider either long-term community removal or expulsion as a result. Any non-English speaking parent will be informed, both verbally and in print, in their native language.
- The School sets a formal meeting date. The student and parents receive a written notice that states the charges, the date, time and place where the meeting will be held, and the notice of their right to obtain legal counsel, present and question witnesses, and confront and provide evidence.
- A short-term community removal will be imposed until the meeting on the long-term community removal or expulsion. Every effort will be made to ensure that the meeting is held as soon as practicable in order to limit the amount of time the student spends outside the classroom, but not so soon as to prevent the parent/guardian from seeking counsel and making arrangements to attend the hearing.
- After the case is heard, the School will issue a written statement to the student and parent stating the decision. This statement will also be placed in the student's permanent record.
- If the parent/guardian fails to attend the meeting and fails to notify a school official of the need to reschedule the hearing prior to its start, or if the student withdraws from the School prior to



occurrence of the hearing, the School may conduct the hearing in the parent/guardian’s absence. In such an event, the School shall notify the parent/guardian in writing of the School’s determination, the student’s placement (if applicable) and their appeal rights, if any.

- During a community removal or expulsion, a School staff member or designee will provide educational services to the extent required by law. When providing educational services to removed students, the School will provide materials in a timely manner and offer at least two hours per day of voluntary one-on-one direct instruction (alternative instruction) at a location and time determined by the School. For a student who has been expelled by the School, the means and manner of alternative instruction will be the same as for a student who has been suspended. Alternative instruction will be provided until the earlier of (i) the end of the school year or (ii) the student is enrolled at another accredited school, or otherwise participating in an accredited program, including any alternative education program operated by the student’s school district of residence.

If the parents/guardians are not satisfied with the decision of the School, they may file a written appeal to the Board of Trustees via the Head of School within five business days of the date of the community removal /expulsion decision. Upon receipt of an appeal, a Board Committee composed of no less than two (2) trustees who were not involved in the hearing will investigate the appeal as soon as practicable and will render its determination no later than 10 business days from the date of the written appeal. The Board Committee may adopt the earlier decision of the School in whole or in part. The scope of the appeal will be limited to (a) the record established during the hearing, and (b) any written statement either party wishes to add to the record from the hearing. In rendering its determination, the Committee may consult the recording of the hearing and any evidence submitted in connection with the hearing by the parties.

Final decisions of the Board alleging a violation of the School’s charter or of applicable law may be appealed to the New York State Board of Regents.

The following list of actionable offenses is not exhaustive but provides examples of violations of the Student Code of Conduct that may result in disciplinary action, including community removal or expulsion. The list may be modified from time to time and/or supplemented by School staff with notice to students.

Tier 1 Behaviors: Students remain in classroom Some behaviors include:	Tier 2 Behavior: Out of Classroom Interventions Some behaviors include:	Tier 3 Behaviors: Out of School Interventions Some behaviors include:
<ul style="list-style-type: none"> ● Eating in Class ● Drinking beverages other than water 	<ul style="list-style-type: none"> ● Persistent Level 1 Infractions ● Classroom Disruption 	<ul style="list-style-type: none"> ● Persistent Tier 1 or Tier 2 Infractions ● Physical Aggression or Fighting



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<ul style="list-style-type: none">● Inappropriate/Unprofessional Language, including homophobic, transphobic, biphobic language● Off Task Conversations● Failure to Wear Uniforms● Cutting Class● Electronic Use Violation● Engaging in Scholastic Dishonesty (i.e. plagiarism, cheating, colluding):● Inappropriate Use of Technology	<ul style="list-style-type: none">● Refusing to Listen to Staff● Play Fighting● Inappropriate Behavior towards Staff● Peer Conflict● Inciting Violence● Escalating Peer Conflict● Threatening words or actions intended to provoke a violent reaction● Violation of personal space where staff physical intervention is necessary to de-escalate the situation.● Repeated Inappropriate Use of Internet● Leaving Class or School Premises without Permission● Intentionally misgendering or using the wrong personal gender pronouns (PGPs) or using a name that doesn't affirm a student's personhood	<ul style="list-style-type: none">● Threat of Physical Aggression or Fighting● Physical Aggression towards staff● Threat of physical aggression towards staff● Engaging in or Inciting Physically Aggressive Behavior● Gender-based violence● Defying or disobeying directives of school personnel, creating a safety issue● Vandalism or Intentional Destruction of Property● Chronic Refusal to follow BELA expectations● Possession of, selling, using or distributing Illegal drugs, alcohol or tobacco● Possessing, selling or using a firearm or weapon● Making a bomb threat● Inciting/Causing a riot● Falsely activating a fire alarm or other disaster alarm● Engaging in Sexual conduct on school premises● Bringing Unauthorized persons to school
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		<ul style="list-style-type: none"> ● Sexual Harassment ● Theft ● Gang Related Behavior ● Tampering with or altering a record ● Engaging in Harassing, Intimidating and/or Bullying Behavior ● Using controlled substances or prescription medication without appropriate authorization, or using illegal drugs, synthetic hallucinogens and/or alcohol
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Gun Free Schools Act

Federal law (20 USC §7961) requires suspension from school for a period of not less than one year for a student who the School determines to have brought a firearm to school, or to have possessed a firearm at school. "Firearm" as used in this law means a "firearm," or "destructive device" as defined by 18 USC § 921(a) and includes firearms and explosives (New York Education Law § 3214 effectuates this federal law).

The School may also permanently expel a student for bringing a firearm to school. It is the policy of the School that in the event a student brings a firearm to school or possesses one at school, the Principal will refer the student to local law enforcement or to the Office of Children and Family Services. In addition, the local police department will be contacted to take possession of any firearm.

The provisions of the Gun Free Schools Act shall be construed in a manner consistent with the Individuals with Disabilities Education Act. Therefore, the CSE will be consulted, even after a manifestation determination that the student's behavior was not a manifestation of the student's disability, regarding placement and services for such student.

Student Interview and Searches

Student Interviews

School staff may question or interview students and/or take statements from students regarding violations or potential violations of the discipline policy without the consent or presence of parents or legal guardians.



Searches of Property

Students have no reasonable expectation of privacy rights in school lockers, cubbies, desks, or other school storage places. The School exercises overriding control over such school property, which may be opened and subjected to inspection at any time by school officials.

Searches of the Person

The School authorizes the instructional and operational leaders or their designees to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the School's discipline policy or otherwise constituted a threat to the health, safety, welfare, or morals of the School, other students, school personnel, or any other person lawfully on school property or attending a School function. An authorized school official, with minimal suspicion, may also conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag for a security check so long as the school official has a legitimate reason for the limited search, including investigative purposes.

An authorized School official may search a student or the student's belongings based upon information received from an informant who is deemed reliable, at the official's sole discretion. Individuals, other than the School's staff members, will be considered reliable informants if they have previously supplied information that was accurate and verified, they make an admission against their own interest, they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. School staff members will be considered reliable informants unless they have knowingly supplied information in the past that was not accurate.

Before searching a student or the student's belongings, the authorized school official should seek an admission from the student that he or she possesses physical evidence that they violated the law or the school code, or request the student to voluntarily consent to the search. Searches will be limited in scope to that which is necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices with more than one witness present, and students will be present when their possessions are being searched.

Discipline of Students with Special Needs

In addition to the discipline procedures applicable to all students, the following procedures are applicable to students with disabilities. If a student is not specifically identified as having a disability but the School, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR 300.534—that a disability exists, the student may request to be disciplined in accordance with these provisions. The School shall comply with sections 300.530-300.536 of the Code of Federal Regulations and the following procedures, except in the event that the following procedures are inconsistent with federal law and regulations.

The School shall maintain written records of all community removals and expulsions of students with a disability including the name of the student, a description of the behavior, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.



If a student identified as having a disability is suspended during the course of the school year for a total of eight (8) days, such student will immediately be referred to the CSE of the student's district of residence for reconsideration of the student's educational placement. Such a student shall not be suspended for a total of more than ten (10) days during the school year without the specific involvement of the CSE of the student's district of residence prior to the eleventh day of community removal, because such removals may be considered to be a change in placement.

In considering the placement of students referred because of disciplinary problems, the CSE of the student's district of residence is expected to follow its ordinary policies with respect to parental notification and involvement.

Due Process

If discipline which would constitute a change in placement is contemplated for any student with an IEP, the following steps shall be taken: (1) not later than the date on which the decision to take such action is made, the parents of the student with a disability shall be notified by the School of that decision and provided the procedural safeguards notice described in 34 CFR §300.504; and (2) the CSE of the student's district of residence and other qualified personnel shall meet and review the relationship between the child's disability and the behavior subject to the disciplinary action (subject to CSE's availability).

If, upon CSE review, it is determined that the child's behavior was not a manifestation of his or her disability, then the child may be disciplined in the same manner as a child without a disability, except as provided in 34 CFR §300.530(d), which relates to the provision of services to students with disabilities during periods of removal.

Parents may request a hearing to challenge the manifestation determination. Except as provided below, the child will remain in his or her current educational placement pending the determination of the hearing.

If a parent requests a hearing or an appeal to challenge the interim alternative educational setting or the manifestation determination resulting from a disciplinary action relating to weapons or drugs, the child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in the disciplinary action, whichever occurs first, unless the parent and School agree otherwise.

Provision of Services During Removal

Those students with special needs removed for a period of fewer than ten days will receive all classroom assignments and a schedule to complete such assignments during the time of their community removal. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such community removal. The school shall also provide additional alternative instruction within the ten (10) days and by appropriate means to assist the student, so that the student is given full opportunity to complete assignments and master curriculum, including additional



instructions, phone assistance, computer instruction and/or home visits and one-on-one tutoring.

During any subsequent removal that, combined with previous removals equals ten (10) or more school days during the school year, but does not constitute a change in placement, services must be provided to the extent determined necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. In these cases, school personnel, in consultation with the child's special education teacher, shall make the service determination.

During any removal to an interim alternative educational setting not to exceed 45 days for weapon, drug or infliction of serious bodily injury-related offenses pursuant to 34 CFR §300.530(g) services will be provided to the extent necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. These service determinations will be made by the CSE of the student's district of residence. The School will, in consultation with the CSE, place students in interim alternative educational settings as appropriate per 34 CFR §300.520(g). The student should receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

During any subsequent removal that does constitute a change in placement, but where the behavior is not a manifestation of the disability, the services must be provided to the extent necessary to enable the student to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. The CSE of the student's district of residence will make the service determination. The student should receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.