

STUDENT DISCIPLINE

The Board of Trustees believes that each student can reasonably be expected to be responsible for his/her own behavior. The school personnel shall develop 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 school. Students who fail to meet this expected degree of responsibility and violate school rules may be subject to appropriate disciplinary action and more regulated supervision. The administration may conduct an investigation into reports of misconduct which may include conferences with the complainant, student, parents, teachers, other student service personnel, or others as is deemed appropriate for the early identification and resolution of suspected discipline problems.

Discipline is most effective when it deals directly with a 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 their resources to create a change of behavior in the classroom. When the teacher has made every effort to bring about positive behavioral change, and has been unsuccessful, the teacher will bring the matter to the attention of the administration. Once done, the teacher and the Superintendent will develop a strategy for dealing with the problem.

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.

Students with disabilities will be disciplined in accordance with the procedures established under applicable federal and state law and regulation.

The Superintendent 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.

<u>Cross-ref:</u>	4321, Programs for Students with Disabilities	
	5020.3, Students with Disabilities Pursuant to Section 504	
	5311, Student Rights and Responsibilities	
	5313.3, Student Suspension	
	5313.4, Discipline of Students with Disabilities Under IDEA and	Article
89	8135, Safe Schools	
	8414.4, Video Cameras on School Buses	
	9700, Staff Development	

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

Adoption date: December 10, 1998

Revised: May 9, 2000

Reviewed: July12, 2011

STUDENT DISCIPLINE REGULATION*Discipline Procedures for Students with Disabilities*

When a student with a disability violates the discipline policy of the district, a meeting of the Committee on Special Education (CSE) shall be held to determine:

1. Whether the student is capable of following the school discipline code;
2. Whether the behavior was the result of an inability to understand the rules; and/or
3. Whether the behavior was the result of an inability to control appropriate behavior.

If the student is capable of following the district's discipline policy despite his/her disability then the appropriate discipline procedures will be followed.

If the student is not capable of following the district's discipline policy because he/she cannot understand the discipline procedures, appropriate actions will be attempted to ensure understanding.

If the student is found to be incapable of following the district's discipline policy after reasonable efforts have been made to obtain cooperation because he/she cannot control his/her inappropriate behavior, the teacher, or Superintendent will refer the student to the CSE.

If the behavior of a student with a disability is determined to be dangerous to himself or others, then the Superintendent must take immediate and appropriate action, followed by immediate notification of the home school and referral to the CSE. If such action includes suspension of the student, all legal procedures must be followed, including notification of the reasons for suspending the student, opportunity for the student to respond, opportunity for a parent conference, Superintendent's hearing if suspension is for more than five days, etc.

Adoption date: December 10, 1998

To: Detention Teacher: _____ Teacher: _____ Superintendent

CONDUCT REFERRAL EDINBURG COMMON SCHOOL 4 JOHNSON ROAD EDINBURG, NEW YORK 12134	Student	Date
	Grade	Date/Time of Incident
	Bus Driver/Teacher/Staff	Location of Incident

THE PURPOSE OF THIS REPORT IS TO INFORM YOU OF A DISCIPLINARY INCIDENT INVOLVING THE STUDENT

REASON(S) FOR REFERRAL

- | | | |
|---|---|---|
| <input type="checkbox"/> Failure to Observe School Rules | <input type="checkbox"/> Disturbing Classmates | <input type="checkbox"/> Sexual Harassment |
| <input type="checkbox"/> Destruction of School Property | <input type="checkbox"/> Not Following Directions | <input type="checkbox"/> Rude-Discourteous-Annoying |
| <input type="checkbox"/> Violation of Safety Procedures | <input type="checkbox"/> Excessive Talking/Loudness | <input type="checkbox"/> Unacceptable Language |
| <input type="checkbox"/> Disrespectful to Authority Figure | <input type="checkbox"/> Bullying | <input type="checkbox"/> Fighting-Pushing-Tripping |
| <input type="checkbox"/> Physical action w/Other Student(s) | <input type="checkbox"/> Threats/Intimidation | <input type="checkbox"/> Other |
| <input type="checkbox"/> | | |

ACTION AND RECOMMENDATION(S):

- | | | |
|---|---|--|
| <input type="checkbox"/> Held Conference With Student | <input type="checkbox"/> Changed Student's Seat | <input type="checkbox"/> Telephoned Parent |
| <input type="checkbox"/> Removed Student From Classroom | <input type="checkbox"/> Detained Student | <input type="checkbox"/> Parent Conference Requested |
| <input type="checkbox"/> Number of Offenses _____ | <input type="checkbox"/> Consulted Counselor | <input type="checkbox"/> Time Out _____ Day(s) |
| <input type="checkbox"/> | | |

Driver/Teacher/Staff Signature

Date

Administrator Signature

Date