

## **Student Discipline Policy/Code of Conduct**

Within our three graduate aims of Mastery/Leadership/Community, we cannot have student mastery and leadership without first building a fun, positive, safe, and structured school community. While our Deans of Students stand ready to support all of our students' learning and behavior needs, we recognize that EVERY adult and student at GO-NYC is responsible for contributing to a safe, respectful, cooperative community. Our mission is to provide our students with both the academic and character-building skills needed to be college and career ready. As such, positive school culture and restorative practices (to be defined below) are an important part of what we do every day. We have exceptionally high expectations for student behavior because we believe these high standards create a safe, respectful, cooperative community.

GO-NYC promotes a positive school culture that aims to support our students with high support, high expectations, and high accountability. Therefore, students who struggle to meet behavioral expectations will always be provided with support, and reasonable consequences when necessary.

From the moment our students enter the building/log onto our virtual platform and all through the day, they are expected to act in a way that benefits GO-NYC students – respectful of themselves and others. The behavior support policies and consequences apply to actions of students during school hours before and after school, while on school property, while traveling in vehicles funded by the school, at all school-sponsored events, and when the actions affect the mission or operation of GO-NYC.

We will make thoughtful modifications and provide additional support so that our students receiving special services have the support (consistent with their IEPs and 504 plans) they need to be successful. Through the use of proactive, preventative strategies and a discipline model that promotes restorative justice, we aim to keep all of our students in class all day, every day.

### **Restorative Approach**

As a GO-NYC staff, we recognize that the measures we take to discipline students often have greater impact than simply holding students accountable. Oftentimes in schools, students are disconnected from how their actions may have affected their school community and thus develop a distrust of school and adults, once they receive a consequence. The method GO-NYC trusts to help students understand the impact of their actions is known as "Restorative Practices." Operating under this model, GO-NYC staff members will always seek to use classroom/behavior management strategies that help students understand how their actions and choices affect others.

As a school we utilize restorative practices that are a set of both formal and informal strategies intended to meet five goals:

1. Build positive relationships
2. Reduce and prevent harmful behavior

3. Resolve conflict and hold individuals accountable
4. Repair harm
5. Address and discuss the needs of the school community

### **Methods of Restorative Practices at GO-NYC**

1. **Circle Process:** Regular use of restorative circles within the instructional program of a school is a significant prevention and intervention strategy. The circle process enables a group to build relationships and establish understanding and trust, create a sense of community, learn how to make decisions together, develop agreements for the mutual good, resolve difficult issues, etc. The circle process is used regularly within our school, students daily join in circles in our advisory program.

2. **Impromptu Restorative Conferences:** Structured, but does not require the elaborate preparation needed for formal conferences. Student guardians are not required to be in attendance for impromptu restorative conferences, but will always receive follow-up about the conference. Whenever a student has received a behavior referral (aka “write-up”), one of the next steps will always be an impromptu restorative conference involving the necessary staff/students.



3. **Formal Restorative Conference:** Involves more people, requires more planning and time, and is more structured and complete. Student guardians are usually required to either attend or dial into formal restorative conferences.

Although a formal restorative process might have great impact, the primary goal of the formal restorative conference is to support the school community and to manage more major/ongoing conflicts and tensions by repairing harm and building relationships. Formal Restorative Conferences are also the forum for any GO-NYC moderated family mediations, when students persistently do not get along and/or severe conflict has occurred, especially involving family members of students.

4. **Student Support Cycle:** Designed to support students who may be experiencing challenges throughout the school year. The emphasis of the cycle is to ensure that students receive the appropriate support to continue to grow in their academic and social emotional learning. The cycle will include consistent connection with school leaders and families to build a plan that will ensure scholars are held accountable for their actions while learning from their actions. The specific next steps in the cycle will be determined by the school leader.

### **Lion's Den- GO-NYC Advisory Program**

At GO-NYC, we believe that character development and Social Emotional Learning (SEL) are foundational elements to student mastery and leadership. The purpose of the GO-NYC Advisory Program is to enhance student experience through a curriculum that celebrates the identities of our student body and

creates a deeper sense of community. In Middle School, students begin to ask important questions about themselves, their communities, and the world that they live in; through Advisory, we foster leadership by encouraging students to think critically and explore answers to these questions in a safe setting. The curriculum is intentionally designed by a diverse group of staff to consider all aspects of the GO-NYC student. The Advisory Program creates space to build community within the school, engage students in reflection and dialogue around ongoing school and community/world matters, assist students with exploring their identities, and promote SEL skills. Advisory will promote skills for Mastery, Leadership, and Community to equip students to go on and shape the world they live in, not be defined by it.

#### The Role of the Advisor

Advisors will be a main point of contact for families and champions for students within our school community. On a consistent basis, families will be communicated with and will have the opportunity to effectively support your child. Advisors will provide assistance for students in the preparation of their presentations for Student-Led Conferences.

#### **Behavior Referrals**

While as a school we believe strongly in our restorative approach, accountability is absolutely necessary. When low level behavior incidents persist after multiple attempts at restorative intervention, the student may receive a behavior referral. Behavior referrals are also reserved for student actions that jeopardize the emotional and/or physical safety of a student, a staff member, or the learning environment. At GO-NYC we empower our Teachers and Fellows with the skills to keep all students in class, and referrals will only be used when reasonable attempts at intervention have not been effective.

#### **Behavior Referral Consequences**

If a student receives a referral, their guardian will ALWAYS be contacted by a GO-NYC staff member on the same day of the incident. Depending on the severity of the incident, contributing factors, and individualized education needs, a consequence may be used. When appropriate, GO-NYC utilizes logical consequences which reflect ownership and an opportunity for reflection. GO-NYC does not utilize detention, or other in-school punitive consequences, which further alienate students from their peers and educators. We are committed to the restorative process of helping students to understand and take ownership of their role in any harm to the community which may have occurred.

For more severe incidents, GO-NYC Administrators will host consequence hearings, with the potential outcome that a student may be suspended from school. In these meetings, all factors will be considered, and all present voices honored, before an outcome is reached. GO-NYC Administrators may move to an immediate suspension if an incident has occurred where a safety concern is now ongoing/escalated.

We acknowledge that our protocols must be flexible, if an unfortunate scenario arises where we are forced to return to social-distancing protocols. If this does occur, our staff will work directly with students to tirelessly reinforce why we all have a responsibility to keep one another safe. With this in

mind, please note that any student actions which deliberately ignore our social distancing safety protocols cannot and will not be tolerated. Students should expect consequences (usually in the form of loss of privileges and/or consequence hearing) for deliberately breaking social distance safety protocols at GO-NYC. Examples of such behavior include, but are not limited to:

- Refusing to wear masks when safe social distancing is not available.
- Entering the restrooms before the bathroom monitor has said it is safe to do so.
- Leaving the classroom or learning space without permission.
- Purposely coughing/sneezing/spitting on others.
- Purposely touching others personal items, or touching anyone's personal belongings without permission.
- Repeated patterns of hand/body contact with others (either playfully, public displays of affection, or with intent to harm).
- Refusing adult directions to wash hands/sanitize after an accident has occurred where multiple students may have touched the same space or item.

Students who exhibit a pattern of intentionally breaking safety protocols will receive a consequence hearing, if restorative interventions are unsuccessful.

If a student receives a level 1 or 2 behavior referral, their guardian will always be contacted by a GO-NYC staff member on the same day of the incident. Depending on the severity of the incident, contributing factors, and individualized education needs, a consequence may be used. When appropriate, GO-NYC utilizes logical consequences which reflect ownership and an opportunity for reflection (loss of privileges, delayed earns, and community restoration). GO-NYC does not utilize detention, or other in-school punitive consequences, which further alienate students from their peers and educators. We are committed to the restorative process of helping students to understand and take ownership of their role in any harm to the community which may have occurred.

For more severe incidents (level 3), GO-NYC administrators will host consequence hearings, with the potential outcome that a student may be suspended from school. In these meetings, all factors will be considered, and all present voices honored, before an outcome is reached. GO-NYC Administrators may move to an immediate suspension if a level 3 incident has occurred where a safety concern is now ongoing/escalated, and there is an immediate threat present.

### **Due Process**

GO-NYC follows due process procedures consistent with the standards established by the U.S. Supreme Court in *Goss v. Lopez*, 419 U.S. 565 (1975).

### **Short-Term Suspensions**

A short-term suspension may be imposed by the Principal [PTO1] [SS2] or the Principal's designee. If a student commits an offense that calls for short-term suspension (10 days or less), the following steps are taken:

- If necessary, the student is immediately removed from class and/or school.
- The student is informed of the charges against him or her.
- The student is entitled to respond to the charges against him or her.
- The parent/guardian is notified of the imposition of short-term suspension by the school in writing. Written notice shall be provided by e-mail, personal delivery or express mail delivery to the last known address(es) of the parents or guardians. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the parents or guardian of their right to request an immediate informal conference with the Principal. Such notice and informal conference shall be in the dominant language of the mode of communication used by the parents or guardian if known by the school to be other than English.
- The school will schedule a meeting with a parent or guardian in order to discuss the infractions and may reduce the penalty based upon mutual understanding resulting from the meeting.

The decision to impose a short-term suspension may be challenged by the parent(s) or guardian in accordance with the charter school's complaint process, pursuant to Education Law § 2855(4).

### **Long-Term Suspension and Expulsion**

The Principal or the Principal's designee may seek a long-term suspension. If a student commits an offense that calls for long-term suspension (more than 10 days) or expulsion, the following steps are taken:

- If necessary, the student is immediately removed from class and/or school.
- The student is informed of the charges against him or her and given an opportunity to respond.
- Upon determining that a student's action warrants a possible long-term suspension, the Principal shall verbally inform the student that he or she is being suspended and is being considered for a long-term suspension (or expulsion) and state the reasons for such actions.
- The parent/guardian is notified in writing by the school. Written notice shall be provided by personal delivery or express mail delivery to the student's last known address. Where possible, notification also shall be provided by telephone if the school has been provided with a contact telephone number for the parent(s) or guardian(s). Such notice shall provide a description of the incident or incidents which resulted in the suspension and shall indicate that a formal hearing will be held on the matter which may result in a long-term suspension (or expulsion). The notification provided shall be in the dominant language used by the parent(s) or guardian(s) if it is known to be other than English. The notice will state that at the formal hearing, the student shall have the right to be represented by counsel, present and question witnesses, and present evidence.

- The school will set a hearing date. The student and/or his/her parent/guardian will be notified in writing of the charges and a statement of the evidence, date, time and place of a hearing notice of the right at the hearing to be represented by legal counsel (at the student's/parent's own expense) present evidence and question witnesses.
- A hearing officer designated by the Principal will hear the case and issue a written decision to be sent to the student, the parent/guardian, the school's Board of Trustees, and the student's permanent record within 3 school days.
- If a parent or student wishes to appeal a decision, they may do so by notifying the Chair of the Board of Trustees in writing within 5 school days of the issuance of the written decision. The Board or a subset of its members will promptly hear the appeal and render a final written ruling within 3 school days.

The decision to impose a long-term suspension/expulsion upon a student may be challenged by the parent(s) or guardian in accordance with the charter school's complaint process, pursuant to Education Law § 2855(4).

#### **Behavior Interventions Students with Special Needs**

In addition to the disciplinary procedures applicable to all students, the following procedures are applicable to students with disabilities. A student not specifically identified as having a disability but that GO-NYC, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR 300.527(b)—that a disability exists may request to be disciplined in accordance with these provisions. The school will comply with sections 300.519-300.529 of the Code of Federal Regulations (CFR) and the following procedures, except that in the event that the following procedures are inconsistent with federal law and regulations, such federal law and regulations shall govern. These procedures will also be followed for students not specifically identified as having a disability but about whom the school, prior to the behavior giving rise to the disciplinary action, has a basis of knowledge about a potential disability, in accordance with 34 CFR 300.527(b).

The school maintains written records of all suspensions and expulsions of students with a disability including the name of the student, a description of the behavior engaged in, 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 suspension, because such suspensions may be considered to be a change in placement.

#### **Provision of Services During Removal**

Those students removed for a period of up to fewer than ten (10) days will receive all classroom assignments and a schedule to complete such assignments during the time of his or her suspension.

Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension. GO-NYC will 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 would exceed equals ten (10) or more school days during the school year, but according to the CSE does not constitute a change in placement, services must be provided to the extent determined necessary to enable the student to appropriately progress in the general curriculum and in achieving the goals of her IEP. In these cases, school personnel, in consultation with the student's special education teacher, will make the service determination.

During any removal for drug or weapons offenses pursuant to 34 CFR §300.520(a)(2), services will be provided to the extent necessary to enable the student to appropriately progress in the general curriculum and in achieving the goals of her IEP. These service determinations will be made by the CSE of the student's district of residence. The School will place students in interim alternative educational settings as appropriate and mandated by 34 CFR §300.520(a)(2). During any subsequent removal that does constitute a change in placement, but where the behavior has been determined by the CSE to not be a manifestation of the disability, the services will be provided to the extent necessary to enable the student to appropriately progress in the general curriculum and in achieving the goals of her IEP. The CSE of the student's district of residence will make the service determination.

### **Due Process**

If discipline which would constitute a change in placement is contemplated for any student, the following steps will 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 will be notified by the School of that decision and provided the procedural safeguards notice described in 34 CFR §300.504; and (2) the CSE and other qualified personnel will meet and review the relationship between the student's disability and the behavior subject to the disciplinary action (subject to CSE's availability). If, upon review, it is determined that the student's behavior was not a manifestation of his or her disability, then the student may be disciplined in the same manner as a student without a disability, except as provided in 34 CFR §300.121(d), which relates to the provision of services to students with disabilities during periods of removal.

### **Provisions of Services during Referral**

Those students removed for a period less than ten (10) consecutive days will receive all classroom assignments and a schedule to complete such assignments during the time of his or her suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension.

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During any subsequent removal that, combined with previous removals, equals ten (10) or more school days during the year, 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 CSE or Section 504 Team, shall make the service determination.