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Code of Conduct and Disciplinary Guidelines

Information from NYC DOE Citywide Behavioral Expectations to Support Student Learning (2019), Regulations of the Commissioner of Education Part 200 and Part 201)

St Francis de Sales School for the Deaf (SFDS) is committed to protecting the rights of all students under city regulations, state and federal law. The mission of St. Francis de Sales School for the Deaf in Brooklyn is to educate the whole child utilizing best practices through a multimodal – multilingual communication approach in an inclusive, barrier-free environment so that each student develops academically, physically, socially and emotionally. We focus on students' strengths and support them achieving their goals as independent readers, writers and communicators.

Promoting Positive Student Behavior/Expectations

Students at SFDS are expected to uphold policies, procedures and school rules ensuring a safe environment for themselves and others. Promoting a positive school culture is achieved through the SFDS supportive environment.

Student Responsibilities and Expectations

- Attend school on a regular basis
- Maintain a safe environment free of all illegal items including but not limited to; weapons, drugs, alcohol and illegal substances
- Behave in a manner that contributes to a safe learning environment including engaging in RISE behaviors outlined in the PBIS.
- Promote a culturally responsible environment free of bullying and harassment based on race, color, religion, age, creed, ethnicity, national origin, alienage, citizenship/immigration status, disability, sexual orientation, gender (identity or expression), or weight.
- Show respect for school property and property of others

- Be prepared daily with required materials and equipment making every effort to achieve maximum success
- Use school and personal technology appropriately

Discipline Procedures

Students at SFDS who do not meet the standards of responsibilities and expectations are subject to disciplinary action and consequences. Misconduct will be handled on an individual basis taking several factors into account including; behavior, disability, age and infraction. School administrators and the mental health team will determine disciplinary actions not including Manifestation Determination Review. *Students on active Behavior Intervention Plans will follow Reactive Strategies as stated on their plan.

Reporting behavior

- Teacher/staff members intervene
- Supervisor/social worker/mental health team informed by staff involved
- Further action required for consideration is determined by administration and mental health team

Hierarchy of disciplinary action based upon IEP classification

- Parent notification
- Suspension
- Functional Behavior Assessment
- Manifestation Determination Review

<https://www.schools.nyc.gov/about-us/policies/chancellors-regulations/volume-a-regulations>

St. Francis de Sales School for the Deaf
Student Bill of Rights
February 2022

All students shall be given the respect and dignity that is extended to every person regardless of race, religion, national origin, creed, age, gender, gender identity, sexual orientation, ethnic background, developmental disability or other medical or psychiatric status.

All students shall be assured:

1. A safe and sanitary environment
2. A written, individualized plan which has as its goal the maximization of the student's abilities to progress in his or her environment, fosters social competency, includes meaningful recreation and access to community programs enabling the student to live as independently as possible.
This right also includes:
 - a. The opportunity to participate in the development and modification of an individualized education plan, unless prohibited by the student's ability to do so
 - b. the opportunity to object to any provision within an individualized education plan and the opportunity to appeal any decision with which the student agrees
 - c. The provision for meaningful and productive activities within the student's ability, although some risk may be involved, which takes into account his/her interests.
3. Services including assistance and guidance, from staff who are trained to administer services adequately, skillfully, safely and humanely, with respect for the student's dignity and personal integrity
4. Freedom to express personal opinions of religion and/or orientation, as long as they don't infringe upon rights of others
 - a. the facility has the right to reasonably limit the expression of sexuality including time and location, in accordance with a plan for effective management
5. Privacy in toileting to the extent possible
6. Confidentiality with regard to all information contained in their record and access to such information consistent with HIPPA privacy protections
7. Freedom from physical, psychological or sexual abuse or neglect
8. Freedom from corporal punishment
9. Freedom from harassment on the basis of race, religion, national origin, creed, age, gender, gender identity, sexual orientation, ethnic background, developmental disability or other medical or psychiatric status
10. Protection from commercial or other exploitation
11. The opportunity, either personally or through parents/guardians, to express without fear of reprisal, grievances, concerns, and suggestions to the administration, agency or committee on special education.

If a student or parent objects to the application, adaptation, or denial of any of the previously stated rights, the student or parent may make a complaint to their District Committee on Special Education, or:

NY State Education Department
89 Washington Ave.
Albany, NY 12222

This Bill of Rights will be included in the SFDS Student Handbook.

This Bill of Rights will be posted in each classroom at the start of each school year.

Maintenance and Enforcement Procedures Supports

Positive supports are embedded at SFDS promoting student responsibilities and behavioral expectations.

Student Code of Conduct

- Annual distribution for review and posted throughout school
- Defining positive behavioral expectations and responsibilities
- PBIS committee review quarterly

Multimodal communication approach facilitating access to language

- ASL
- Spoken English/Written English
- Picture Exchange Communication System
- Low, Mid and High Tech Augmentative Alternative Communication Devices
- Braille
- Tactile Sign

PBIS

- Schoolwide systematic approach promoting positive behavior throughout the school environment
- One period weekly devoted to PBIS/RISE school wide expectations
- Second Step SEL curriculum introduced 1/2022

Procedures for early identification and resolution of disciplinary problems

- Multidisciplinary team meeting
- FBA/BIP review process

Functional Behavior Assessment/ Behavior Intervention Plan Process

1. Review considerations form. The teacher may access the form on the server. When completed, the form should be sent to their direct supervisor and copied to the School Psychologist.
2. Answer the following questions on the form:
 - a. Does the student display behavior that impedes his or her learning or that of others? (i.e., behaviors prevents self or others from engaging in instruction)
 - b. Have school wide supports or classroom interventions been consistently implemented to address the student's behavior adequately? If yes, check mark which interventions have been implemented.
 - c. Teacher will complete the form stating what interventions they believe have been implemented
3. A supervisor (Educational supervisor, with School Psychologist as

back up), in the process of considering the need for FBA, will conduct a fidelity check to confirm the following:

- A. Does the student's behavior place the student or others at risk of physical or emotional harm?
 - b. Does the student have a behavior protocol in place already but is not meditating the target behavior(s)?
 - c. If you answered yes to any of the above questions, please request a child study review with the Multi-disciplinary team (MDT) by sending an email to your direct supervisor and cc: school psychologist. If no, please speak to your direct supervisor to determine if a team meeting is needed and to discuss evidenced based supports for the classroom.
4. After confirming that all Tier 1 interventions are in place via fidelity check, the supervisor will schedule a MDT
If fidelity check identifies that Tier 1 interventions are NOT in place, Supervisor may consider scheduling a MDT, or alternatively may meet with the teacher to implement these for a designated period of time
 5. At the meeting, the considerations form should be completed and saved in the student's record folder.
 6. If a functional behavior assessment is warranted, the school psychologist should review next steps with the MDT. Data collection and a timeline should be discussed.
 - a. Timeline: At a minimum, three consecutive days of data is preferable. Data should be collected until a clear trend is seen and/or there is enough information in order to develop hypotheses regarding function.
 - b. Maximum number of days to complete is 45.
 - c. Interrater reliability should be collected at a minimum once during
 - d. the beginning and once during the end of data collection.
 - e. Data collection forms will be distributed to the team.
 - f. A follow-up meeting will be held with the team for further instruction if needed.
 - g. The team should be instructed to not begin data collection until consent is received.
 - h. If a formal FBA was not recommended, please consider meeting with the team to develop a classroom behavior protocol. A behavior protocol is different than a BIP in that classroom behavior protocols consist of Tier 1/2 interventions that perhaps need slight modification in order to impact student performance.
 7. Following the meeting, a consent form will be sent home to the family and a conversation about the evaluation should be held with the parents/guardians.
 8. Once consent is received, a member of the PBIS team will notify the MDT to begin data collection.
 9. The school psychologist will review the data weekly. If any questions with

data collection arise, the school psychologist will contact team members. When data establishes a trend/function, school psychologist will call the MDT to review.

10. A team meeting will be held to discuss the results of the FBA and to determine if a BIP is recommended.
11. If a BIP is recommended, the team will discuss evidenced based interventions that will be added to the BIP.
12. Following the meeting, the school psychologist will fill out the BIP form.
13. A copy of the FBA and BIP will be kept in the student's psychological evaluation folder.
14. The teacher will continue to collect data and will review the data weekly. The teacher will request a meeting with the MDT, if/when:
 - a. The data shows the rate of behavior meets criteria as set in BIP
 - b. The data shows decreasing trend but has stalled before meeting criteria as set in BIP
 - c. The data shows increasing trend (contact team immediately)
15. Interrater reliability will be collected every 20 school days by a supervisor
16. At the student's next CSE meeting, the team may add the BIP to the student's IEP if there is a need to continue using it.
17. The BIP will be discontinued when Tier 3 interventions can be faded out and/or when behavior is at a frequency/duration/intensity that can be managed by Tier 1 and/or 2 interventions.

Guidelines and programs for in-service education programs for staff members to ensure effective implementation of school policy on school conduct and discipline

- PBIS review
- SEL curriculum

Written code of conduct for the maintenance of order on school property and at school functions

- Tier 1 PBIS visuals created and posted in classrooms as well as around the entire school building.
- Code of Conduct will be posted in every classroom.

<https://www.p12.nysed.gov/dignityact/documents/FINALDignityForAllStudentsActGuidanceDec2017.pdf>









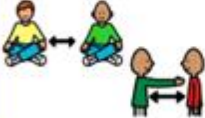







RISE DEFINITIONS



St. Francis
de Sales

School
for the
Deaf

BEHAVIOR EXPECTATIONS/RULES

<p>R RESPECT</p>	<p>Treat all people with kindness.</p> 	<p>Readiness to learn.</p> 	<p>Take turns. Follow the game rules.</p> 	<p>Listen to the adults in charge.</p> 
<p>I INCLUSIVITY</p>	<p>Everyone gets to play.</p> 	<p>Accept all modes of communication.</p> 	<p>Visual access to communication.</p> 	<p>Language is accessible.</p> 
<p>S SAFETY</p>	<p>Personal space</p> 	<p>Keep hands, feet, and objects to yourself.</p> 	<p>Follow the signs/symbols.</p> 	<p>Use school materials appropriately.</p> 
<p>E EQUITY</p>	<p>Treat everyone fairly.</p> 	<p>Be kind to people different than you.</p> 	<p>If you don't understand, ask.</p> 	<p>Applause/ congratulate people.</p> 

Provisions to responding to acts of Discrimination and/or Harassment

Definitions of Bullying Definitions of bullying provided in the Department’s “Promising Practices Guide” “The New York State Dignity for All Students Act: A Resource and Promising Practices Guide for School Administrators & Faculty” is available online at:

<http://www.p12.nysed.gov/dignityact/documents/FINALDignityForAllStudentsActGuidanceDec2017.pdf>

- Dignity Act Statutory and Regulatory Definition

Harassment and bullying means the creation of a hostile environment by conduct or by threats, intimidation, or abuse, including cyberbullying, that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional, or physical well-being; or reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include, but not be limited to, those acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. For the purposes of this definition the term “threats, intimidation or abuse” shall include verbal and nonverbal actions. (Education Law §11[7]). Dignity Act-Related Term Definition (pg. 54). Bullying has been described by the U.S. Department of Education as unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. According to the U.S. Department of Education, bullying generally involves the following characteristics: An Imbalance of Power: Individuals who bully use their power, such as physical strength, access to embarrassing information, or popularity to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people. Intent to Cause Harm: The person bullying has a goal to cause harm. Bullying is not accidental. Repetition: Bullying behaviors generally happen more than once or have the potential to happen more than once. Examples of bullying include, but are not limited to: Verbal: Name-calling, teasing, inappropriate sexual comments, taunting and threatening to cause harm. Social: Spreading rumors about someone, excluding others on purpose, telling other children not to be friends with someone, and embarrassing someone in public. Physical: Hitting, punching, shoving, kicking, pinching, spitting, tripping, pushing, taking or breaking someone’s things and making mean or rude hand gestures. For more information see: www.stopbullying.gov/what-is-bullying/index.html Definition of bullying offered by the Queering Education Research Institute Bullying is overt verbal, physical, or technology-based aggression that is persistently focused on targeted person(s) over time and typically replicates structural inequalities based on race, gender, nationality, language, sexual orientation, social class, religion, ethnicity, and (dis)ability by policing the boundaries between “normal” and “different” in a specific social context. Individuals who are targeted are likely “bullied” or marginalized by multiple students for their perceived difference (Payne & Smith, 2013).

- Parent or Guardian means parent, guardian or person in parental relation to a student.

“School property” means in or within any building structure, playground, parking lot or land contained within the real estate property boundary line of a school.

School function” means any school-sponsored extra-curricular event or activity, including but not limited to field trips.

Aggressive student means behaviors that result in hitting/punching, biting, scratching, pinching, kicking, head-butting, self-injurious behavior, spitting, and property destruction. Behaviors may or may not be related to diagnoses, disabilities, abilities, classification, etc.

Elopement means an incident where student runs away from/leaves from a supervising staff member

- “Violent student” means a student through the age of 14 who, not connected to their diagnoses, disability, ability or classification, :
 1. Commits an act of violence upon a school employee, or attempts to do so, or threatens violence.
 2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so, or threatens violence.
 3. Possesses, while on school property or at a school function, a weapon.
 4. Displays, while on school property or at a school function, what appears to be a weapon.
 5. Threatens, while on school property or at a school function, to use a weapon.
 6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
 7. Knowingly and intentionally damages or destroys school campus property.
 8. Threatens violence against someone or property.
- “Weapon” means a firearm as defined in 18 USC#92 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 cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or another device, or instrument.

Provisions prohibiting discrimination and harassment

- PBIS model addressing Respect, Inclusivity, Safety and Equity
- DASA
- Employee Handbook
- Policies and Procedures

Standards and procedures to assure security and safety of students and school personnel

- Safe and Positive Approaches developed by Devereaux.

Provisions for the removal from the classroom and from school property and school functions of students and other persons who violate the code

- Removal from the environment when the conditions under which the classroom is unsafe.

Provisions prescribing the period for which a disruptive pupil may be removed from the classroom for each incident

- If behavior is low risk/high probability, utilize schoolwide de-escalation techniques for 30 minutes.
- If behaviors persist past 30 minutes, contact PBIS team (Supervisor, School Psychologist, Social Worker)
- If behavior is high risk/low or high probability contact PBIS team immediately
- Contact nurse if injury occurs

Disciplinary measures to be taken in incidents on school property or at school functions involving the possession or use of illegal substances or weapons, use of physical force, vandalism, violation of another student's rights, harassment, threats of violence

- Parent/legal guardian is called

Provisions for responding to acts of discrimination and harassment against students by employees or students

Acts of discrimination defined as: the unjust or prejudicial treatment of different categories of people or things, especially on the grounds of race, age, or sex.

Provisions for detention, suspension, and removal from the classroom of students...including provisions to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended in school, which shall include alternative educational programs appropriate to individual student needs

Referral to CSE for FBA

Procedures by which violations are reported, determined, discipline measures imposed and discipline measures carried out

- PBIS team informed

Provisions ensuring such code and the enforcement are in compliance with State and Federal laws relating to students with disabilities

- Quarterly review

Provisions setting forth the procedures by which local law enforcement agencies shall be notified of code violations which constitute a crime

- Executive Director will contact law enforcement
- Mental Health Team completes risk assessment to determine student return to school

Provisions setting forth the circumstances under and procedures by which persons in parental relation to the student shall be notified of code violations

- Parent Notification - parents will be notified when student engages in

Provisions setting forth the circumstances under and procedures by which a complaint in criminal court, a juvenile delinquency petition or person in need of supervision petition will be filed

- N/A due to admissions criteria

Circumstances under and procedures by which referral to appropriate human service agencies shall be made

- Mental Health Team
- ACS

Student Responsibilities and Expectations

- Attend school on a regular basis
Good attendance leads to maximizing student achievement and success.
Absences must be legal excuses in accordance with our attendance policy.
- Maintain a safe environment free of all illegal items including but not limited to, weapons, drugs, alcohol and illegal substances

"Weapon" means any gun, rifle, machine gun, disguised gun, razor, knife, box cutters, stun gun, brass knuckles, pepper spray, or other noxious spray, explosive or incendiary bomb or device, materials or substance that can cause physical injury or death are prohibited and will result in disciplinary action under the Discipline Code.

- Behave in a manner that contributes to a safe learning environment including engaging in nonaggressive behavior towards peers and school staff

Violent behavior is not acceptable. Violent behavior may be a legal violation or criminal offense. In those situations, the Law Enforcement agencies will be notified.

Hitting, kicking, scratching, punching or other acts of violence upon a staff member, peer or attempting to do so will result in disciplinary action under the Discipline Code.

- Promote a culturally responsible environment free of bullying and harassment based on race, color, religion, age, creed, ethnicity, national origin, alienage, citizenship/immigration status, disability, sexual orientation, gender (identity or expression), or weight.

Consideration and cooperation are necessary in a school so that the learning atmosphere is free from disruption.

- Show respect for school property and property of others

Vandalism or deliberate destruction of school property or another person's property is prohibited.

- Be prepared daily with required materials and equipment making every effort to achieve maximum success

Homework and schoolwork should be completed with best effort.

Hearing aids, Cochlear Implants, AAC devices, PECS books need to be fully charged, up to date and functioning successfully facilitating access to all modes of communication.

- Use of schoolwide PBIS - RISE

Guidelines and programs for in-service education programs for all staff members including school conduct and discipline, promoting a safe and supportive school climate while discouraging discrimination or harassment against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management

- Deveraux Positive Approaches training
- Safe Schools

Providing a plain language summary of the code of conduct to all persons in parental relation to students before the beginning of each school year

- Code of Conduct

Providing a plain language summary of the code of conduct to all persons in parental relation to students before the beginning of each school year

- Sent in annual packet

Providing each existing teacher with a copy of the complete code of conduct

- Upon hire
- Posted inside each classroom

Making complete copies available for review by students, parents or other persons in parental relation to students, other school staff and other community members

- Distribution in its entirety
- Posted on school website