St. Francis de Sales School for the Deaf
Building Bridges to Tomorrow for Deaf, DeafBlind & Deaf Disabled Children

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# CODE OF CONDUCT

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Revised July 2025

## St. Francis de Sales School for the Deaf

## Student Bill of Rights

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, 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 the rights of others.
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 HIPAA 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.
12. The facility has the right to reasonably limit the expression of sexual behavior including time and location, in accordance with a plan for effective management.

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:

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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.

## Code of Conduct

*Information from NYC DOE Citywide Behavioral Expectations to Support Student Learning (2019), Regulations of the Commissioner of Education Part 200 and Part 201)* Updated 2024

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**

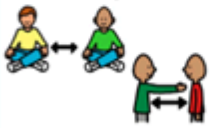
Students at SFDS are expected to uphold policies, procedures and school rules ensuring a safe environment for themselves and others. Promoting a positive school culture is achieved through the SFDS supportive environment. The school utilizes positive behavioral interventions and support (PBIS) which is a school wide approach to support students in the development of positive social behaviors, peer relationships, and positive self-image. PBIS is a three-tiered system of support based on evidence-based practices to address student needs to facilitate success for the whole child in their academic, social-emotional, and behavioral needs.

**Behavior Expectations/Rules**

At SFDS, our PBIS slogan is RISE. RISE reminds our entire school community about our core social values of Respect, Inclusivity, Safety, and Equity. RISE is directly taught in the classroom, and we have a PBIS team & coaches to support all staff on the implementation of the 3 tiers of interventions.

St. Francis de Sales School for the Deaf

## BEHAVIOR EXPECTATIONS/RULES

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

**Student Responsibilities and Expectations**

1. Attend school on a regular basis. Good attendance leads to maximizing student achievement and success. Absences must be legally excused in accordance with our attendance policy.
2. Maintain a safe environment free of all illegal items including but not limited to; weapons, drugs, alcohol and illegal substances.
3. Behave in a manner that contributes to a safe learning environment including engaging in RISE behaviors outlined in the PBIS.
4. 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.
5. 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.
6. "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.
7. 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.
8. Show respect for school property and property of others. Vandalism or deliberate destruction of school property or another person's property is prohibited.
9. Be prepared daily with required materials and equipment making every effort to achieve maximum success
10. Use school and personal technology appropriately
11. Hearing aids, cochlear implants, AAC devices, PECS books and all assistive technology should be up to date, charged, and functioning to facilitate access to all modes of communication.

## Disciplinary Guidelines

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 PBIS team (PPS Coordinator, Communication and Language Supervisor, Educational Coordinator, School Social Worker, and School Psychologist) will determine disciplinary actions not including Manifestation Determination Review & Suspensions. The CSE is responsible for Manifestation Determination Reviews when suspension numbers reach 10 days. The Executive Director or her designee will determine suspensions. Students on active Behavior Intervention Plans (BIPs) will follow Reactive Strategies as stated in their plan. Students with BIPs may be suspended as long as the behavior is not related to their IEP classification.

## Timeout Policy

Timeout is a behavior management technique that involves the monitored separation of a student in a non-locked setting and is utilized for the purpose of de-escalating and gaining control and preparing the student to meet expectations to return to their educational program. All staff who initiate the use of timeout will be trained annually. Timeout may be initiated by a staff person who is trained but the individual must contact a member of the PBIS team who will monitor and document the timeout.

*Students without a Behavior Intervention Plan (BIP)*

1. Utilize de-escalation techniques
2. Contact a member of the PBIS team
3. Once a member of the PBIS team arrives, they will decide if timeout is required.
4. Documentation for each incident will be maintained including the date, start time, end time, location, proactive interventions used prior to timeout, staff members involved, injuries, and transition back to the classroom routine
5. The social worker or a member of the PBIS team will notify the parents/guardians on the same day of the incident

6. If the parent/guardian cannot be contacted, after reasonable attempts, the CSE must be notified
7. Documentation for timeout will be submitted to the state according to state regulations and policies

*Students with a Behavior Intervention Plan (BIP)*

1. Follow BIP procedures for timeout procedures and documentation
2. Contact a member of the PBIS team to report on the use of timeout
3. The social worker or a member of the PBIS team will notify the parents/guardians on the same day of the incident
4. If the parent/guardian cannot be contacted, after reasonable attempts, the CSE must be notified.
5. Documentation for timeout will be submitted to the state according to state regulations and policies.

**Reporting Behavior Incidents**

- Supervisor/PBIS team informed by staff involved
- Parents/ guardians will be contacted on the same day as the incident by the Social Worker or a member of the PBIS team.
- Parents/guardians will be provided written notification within three days of the incident.
- CSE will be notified in accordance with state regulations by the PPS Supervisor
- Further reporting to appropriate authorities will be determined by the administration.

**Hierarchy of Disciplinary Action Based upon IEP Classification of Deaf**

- Student removal or timeout
- Parent notification
- Suspension
- Manifestation Determination Review

*Students with Multiple Disabilities classification: disciplinary actions are determined on a case by case basis.

Rules of the Board of Regents and Commissioner's Regulations prohibit the use of corporal punishment, aversive interventions, mechanical restraints, seclusion and prone restraints. **Although the state allows physical restraints in certain situations, SFDS DOES NOT permit use of these interventions. Physical restraints involve restrictions that immobilize one's ability to move arms, legs, head, or body freely.**

**Procedures for Early Identification**

1. Teacher must complete a Request for a Child Study Team (CST) meeting
2. Educational Supervisor must approve the request for a CST meeting
3. The CST will determine if the FBA/BIP review process needs to be expedited

**Functional Behavior Assessment/ Behavior Intervention Plan Process**

1. Review considerations form. The team member 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 their learning or that of others?
    b. Have school wide supports or classroom interventions been consistently implemented to address the student's behavior adequately? If yes, please describe
    c. Does the student's behavior place the student or others at risk of physical or emotional harm?
    d. Does the student have a behavior protocol in place already but is not addressing the target behavior(s)?
3. The school psychologist will complete a Tier 1 fidelity checklist to confirm that Tier 1 interventions are being utilized. A member of the PBIS team will complete the checklist as a backup.
4. After completing the fidelity checklist , the supervisor will schedule a MDT.
5. If the fidelity check identifies that Tier 1 interventions are NOT in place, the supervisor may consider scheduling a MDT, or alternatively may meet with the teacher to implement these for a specified period of time based on the frequency, intensity, and severity of the behavior (3 days – one month).
6. At the meeting, the PBIS team should complete the determination section of the referral form.
7. 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.
8. 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. After receiving consent for the evaluation, the maximum number of days to complete is 60 calendar days
9. Process: Consent will be sent home to the parents/guardians. Once consent is received, a MDT will be scheduled to distribute data collection forms and discuss the evaluation. The school psychologist will review the data weekly. Interrater reliability should be collected. 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. Ongoing data collection will occur.

15. Interrater reliability will be collected every 20 school days by a member of the PBIS team.
16. A CSE meeting will be requested to add the BIP to the student's IEP.
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.
18. If a formal FBA was not recommended, a meeting will be held with the MDT to develop a classroom behavior protocol or modify the current protocol in place. A behavior protocol is different from a BIP in that classroom behavior protocols consist of Tier 1/2 interventions that perhaps need slight modification in order to impact student performance.

**Maintenance and Enforcement Procedures**

Positive support is embedded at SFDS promoting student responsibilities and behavioral expectations.

*Student Code of Conduct*

- Distributed Annually
- Posted throughout school defining positive behavioral expectations and responsibilities
- Reviewed quarterly by PBIS team.

*Positive Behavioral Interventions and Supports (PBIS)*

- Schoolwide systematic approach promoting positive behavior
    - Tier 1- Universal- Supports provided to ALL students
    - Tier 2- Targeted- Supports given to some students needing additional support
    - Tier 3- Intensive-Supports given to specific few students requiring intense and continuous support
- One weekly period is devoted to PBIS/RISE school wide expectations and social and emotional learning using the Second Step Curriculum.
- Access to relaxation rooms (e.g., multisensory rooms)

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

- Annual Training on PBIS for all direct staff
- Annual Training on Safe and Positive Approaches® for Preventing and Responding to Crisis for all direct staff
- Annual review of SEL Curriculum- Second Step to determine effectiveness and appropriateness for the school setting

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

- Tier 1 PBIS visuals posted in classrooms and around the school building
- An age appropriate summary of the Code of Conduct will be posted in every classroom.

*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*

- A copy of the code of conduct will be sent in the annual packet sent home at the beginning of each school year.

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

- A copy of the code of conduct will be provided to all staff members upon hire
- A copy of the code of conduct will be 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

**Provisions**

*Provisions for Security and Safety*

- Annual training in the principles of Safe and Positive Approaches® for Preventing and Responding to Crisis
- Safe Schools
- We use a non- physical approach for both preventing and defusing crises

*Removal of student from Classroom or school property*

- If school wide de-escalation techniques have been utilized and the behavior persists past 30 minutes, contact the PBIS team and your supervisor.
- In imminent danger of self or others: If the student or others are at a safety risk, contact the PBIS team immediately. Contact the nurse if injury occurs.
- Depending on the age, classification and severity of the behavior, the student will be removed from the classroom. If it is unsafe to remove the student, the class will be removed while the student is supported by the team.
- If the student is unable to safely return to school activities, the PBIS committee will determine next steps up to and including removal from school property or contact parent/guardian and/or appropriate agencies.

*Provisions for Detention and Suspension*

Depending on the classification, age, and severity of the behavior the following steps may be taken:

- Provide work in a separate location and ensure the student has access to services on IEP (Remote asynchronous/ synchronous instruction/services when possible).
- Referral to CSE for manifestation determination review and discuss alternative placement.

*Provisions setting forth the procedures by which local law enforcement agencies shall be notified of code violations which constitute a crime including use of illegal substances, weapons, use of*

*physical force, vandalism, violation of another student's rights, harassment, and/or threats of violence*

- The Executive Director or designee will contact appropriate authorities.
- Parent/legal guardians will be notified.
- If a student is a danger to self or others, the Mental Health Team and/or PBIS team completes a risk assessment/safety plan to support the student.
- The CSE will be notified.

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

- PBIS team informed
- Parents and guardians will be notified on the same day. If unreached, the school will document attempts and follow up the following day. The CSE will also be notified in accordance with state regulations.
- Parents will receive written documentation within three days of the incident.

*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 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*

- Depending on the age, classification and severity of behavior, the PBIS, mental health, and/or CPC team will contact the appropriate agency.

*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:
https://www.nysed.gov/student-support-services/dignity-all-students-act-dasa
https://www.nysed.gov/sites/default/files/programs/student-support-services/dasa-information-guide.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).

Cyberbullying is bullying that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying can occur through SMS, Text, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can

include sharing personal or private information about someone else causing embarrassment or humiliation. Some cyberbullying crosses the line into unlawful or criminal behavior.

The most common places where cyberbullying occurs are:

- Social Media, such as Facebook, Instagram, Snapchat, and Tik Tok
- Text messaging and messaging apps on mobile or tablet devices
- Instant messaging, direct messaging, and online chatting over the internet
- Online forums, chat rooms, and message boards, such as Reddit
- Email
- Online gaming communities

*Provisions prohibiting discrimination and harassment*

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

*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.

- Following the report, the PBIS and administration teams will interview all involved parties and determine next steps.
- Actions taken by the team may include but are not limited to: mediation, peer conflict resolution, counseling, disciplinary actions, and collaboration with the team to ensure a safe environment moving forward.

## Definitions

*Section 19.5 of the Rules of the Board of Regents updated definitions*

**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.

**Aversive intervention**: is defined as an intervention that is intended to induce pain or discomfort for the purpose of eliminating or reducing student behavior.

**Corporal punishment**: is defined as any means of physical force upon a student for the purpose of punishment. Physical restraints are not considered corporal punishment.

**De-escalation:** is defined as use of behavior management techniques that help a student increase control over their emotions and behavior, resulting in a reduction of a present or potential level of danger to the students or others.

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

**Mechanical Restraint**: is defined as the use of any device or equipment to restrict a student's freedom of movement. Mechanical restraint does not include medical equipment or devices prescribed by an appropriate professional and are used for the purposes such devices were designed.

**Multi-tiered support system (MTSS):** Means a proactive and preventative framework that utilizes data to inform instruction and the allocation of services to maximize achievement for all students and support students' social, emotional, and behavioral needs from a culturally responsive and strength-based perspective.

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

**Physical Escort:** a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.

**Prone restraint:** is defined as physical or mechanical restraint while the student is in the face-down position.

**Seclusion:** is defined as the involuntary confinement of a student alone in a room or space that they are physically prevented from leaving or that they may perceive that they cannot leave at will. Seclusion does not include the definition of timeout which is a behavior management technique involving the monitored separation of a student in a non-locked setting and is implemented to de-escalate, regain control, and prepare the student to meet expectations to return to their program.

**School function**: means any school-sponsored extracurricular event or activity, including but not limited to field trips.

**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.

**Student initiated or student requested break:** use of a room or space containing coping tools or activities to assist a student to calm and self-regulate, or the use of such intervention strategies consistent with the student's BIP.

**Timeout**: a behavior management technique that involves the monitored separation of a student in a non-locked setting. Timeout is further discussed under the timeout policy.

**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, slingshot, 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.