

AMANI CODE OF CONDUCT

Pursuant to the Charter Schools Act, all charter schools in New York are required to develop rules and procedures by which students will be disciplined, including the circumstances under which students can be suspended or expelled. It is inevitable that schools will deal with student discipline, and Amani will be transparent with students and parents about their school’s discipline policies.

CODE OF CONDUCT (Expectations and rules for Scholars to follow)

Purpose: To maintain a school culture that promotes learning and respect for others, Amani Public Charter School has a Code of Conduct that applies to the entire school community. Adhering to the honor code means that scholars will act truthfully with high moral character both on and off school property.

Amani’s Code of Conduct directly relates to our Core Values: **A.C.H.I.E.V.E**

Our school will use a point system of merits and demerits to reward and correct behavior. Merits will be given for each positive behavior displayed and for the demonstration of each core value. Demerits will be given for any Tier 1 infraction consisting of noncompliance with rules, policies, and procedures set by the school, disregard of the core values, and any un-scholarly behavior.

Each merit/demerit is valued at 1 point. Amani students will begin every week with 25 automatic “A-Merits” for coming to school on time, and they can gain or lose points when displaying proper or inappropriate behavior. No points will be given on days of unexcused absences. All staff members at Amani will be able to reward/correct behavior, and points will be totaled on a weekly basis. Parents will receive a weekly progress report, which will include information about their child’s “A-Merits.”

Below is an overview of the Amani Code of Conduct, outlining the positive behaviors we value and expect.

A.C.H.I.E.V.E		
Category	Actions	Evaluate Self
A	Accountability	Am I accepting responsibility for my actions?
		Am I accepting responsibility for my language?
		Am I being responsible for my classwork and homework?
		Am I taking responsibility for cleaning up after myself?

C	Citizenship	Do I help others around me?
		Do I celebrate the achievements of others?
		Do I display actions that positively affect my class/school?
		Can I be a mediator when I witness conflict?
H	Hard Work	Do I complete all my homework to a high standard?
		Do I complete all my classwork to a high standard?
		Can I persevere through tough challenges?
		Do I ask for help instead of giving up?
I	Integrity	Do I lie about a choice I have made?
		Do I tell the truth no matter what others think?
		Do I do the right thing when no one is watching?
		Do I make choices that are true, good, and right?
E	Empathy	Do I show care, compassion and concern for others around me?
		Do I help others who may need help?
		Am I selfless, not selfish?
		Am I open to sharing, taking turns, and compromising with others?
V	Visionary	Do I set academic and social goals?
		Do I make decisions that will positively affect my future and the future of Amani?
		Do I show positive leadership qualities?
		Do I take initiatives to improve myself and others around me?
E	Excellence	Am I taking extra time to complete assignments above standards?
		Am I always prepared for class at all times with my educational tools?
		Do I go above and beyond in my academics and social experiences?
		Can I be creative and think “outside of the box”?

When a student does not meet behavioral expectations and an infraction of Amani's Code of Conduct has occurred, clear and consistent disciplinary action will be imposed.

DISCIPLINARY PROCEDURES

- A. Discipline Policy
- B. Removal From School
- C. Alternative Instruction
- D. Gun Free Schools Act
- E. Policies Against Harassment, Bullying, and Discrimination

Disciplinary Code and Policies

The following Discipline Code applies in school during school hours, on school property before and after school, while traveling on school buses, at all school sponsored events, and anywhere in the community when the behavior of a student violates Amani Core Values and interferes with , or can reasonably be expected to substantially disrupt the learning environment.

Tier 1- Behaviors that negatively impact a scholar's own learning

Examples: Off task behaviors

Tier 2- Behaviors that negatively impact other's learning

Examples: Disruptive behaviors

Tier 3- Behaviors that are unsafe to others or self

Examples: Significant disrespect for Core Values

Dangerous or Violent Behaviors

Students who partake in **Tier 1 infractions** will be addressed through scaffolded interventions. This could include redirection, student teacher conference, parent call, or

******If a scholar repeatedly has Tier 1 infractions, this can result in a Tier 2 consequence.**

Students who partake in **Tier 2 infractions** will serve a next day detention with the Dean of Scholars and Families. Once the detention has been assigned by the staff member, parents/guardians will be notified via telephone and email or by telephone that their child will serve a detention that next day. The detention will be served from 3:45-4:30 pm and will consist of reflection, a writing assignment, and other appropriate tasks.

Students are not allowed to complete any homework or reading assignments during detention.

******If a scholar repeatedly has Tier 2 infractions, this can result in a Tier 3 consequence.**

Removal From School

In-School Suspensions and Out of School Suspensions will serve as a consequence for Tier 3 infractions.

Depending on the nature and frequency of the infraction will determine the type and length of the suspension.

The Dean will notify parents/guardians of an **ISS (In School Suspension)** or **OSS (Out of School Suspension)** by **telephone and email**.

In School Suspensions

ISS can range from 1-3 days. Students serving an ISS are expected to attend school in full uniform and comply with school procedures. During the days of ISS, the student will spend the day receiving instruction outside of his/her regular classroom. The student will eat lunch with the Dean of Scholars and will not participate in any non-instructional activities. A parent meeting is requested before the student returns to the classroom. After the student serves the ISS, the student can return to class.

Out of School Suspensions

Short Term Suspension (Up to Five Days)

A short-term out-of-school suspension may be imposed for a Tier 2 or Tier 3 infraction. Before imposing a short-term suspension, the Assistant Principal of Student Culture will first notify the student verbally and will immediately notify the parent/guardian by telephone that the student is being suspended out of school.

Written notice of the decision to impose suspension will also be provided within 24 hours by personal delivery or express mail delivery to the last known address(es) of the parent/guardian, or by electronic mail and express mail or personal delivery. Such notice will provide a description of the student's conduct which led to the suspension and will inform parents/guardians of the right to request an immediate informal conference with the Assistant Principal. To the extent possible, such notice will be in the parent's dominant language or mode of communication. At the conference, the parent/guardian will be permitted to ask questions of complaining witnesses under such procedures as the Assistant Principal/Principal may establish.

If a parent requests an informal conference, the informal conference will take place prior to the suspension of the student, unless the student's presence in the school poses a

continuing danger to persons or property or an ongoing threat of disruption to the academic process. If School Leadership believes the suspension must be immediate, parents will be notified and asked to make prompt arrangements to pick up the student. If no one is available to pick up the student, the student will remain with the Dean until dismissal. If the suspension is effective immediately and a parent requests an informal conference, the informal conference will take place as soon as possible after the suspension.

After the suspension, parents will be asked to meet with the Assistant Principal of School Culture or the Principal.

A parent/guardian may challenge a short-term suspension by filing a written appeal to Amani's Board of Trustees within ten (10) business days of the notice of suspension. The appeal must be addressed to the Board Chair and sent by email or by mail. The Board will notify Parents of its final decision in writing.

Long Term Suspension (Six Days or More) or Expulsion

The school may impose a long-term suspension or may expel a student, if the student is found to have engaged in a dangerous, illegal, or violent act where the safety of self or others is at risk. The hearing officer may be the Executive Director or her designee. The hearing will take place within five days of the initial short-term suspension. If the family needs more time for any reason, the parent may request to adjourn and reschedule the hearing, but the student will continue to receive alternative instruction until the hearing is completed.

Written notice of the scheduled hearing will provide parents with the details of the incident that gave rise to the suspension, the date and time of the suspension hearing, information about the student's right to have an attorney or advocate participate at the hearing, and information about the student's right to question witnesses and present evidence. The written notice will also include information about the alternative instruction the student will receive while suspended. To the extent possible, the notification shall be in the dominant language of the parent/guardian.

At the hearing, the School will present evidence and witnesses to support the charges that are being reviewed and will also make a recommendation with respect to consequences. The student will also have an opportunity to present evidence and witnesses, to question the School's witnesses, and to provide testimony. The student's family may request a copy of the hearing record, and the student's academic and disciplinary record.

The hearing officer will first determine, based on the evidence presented, whether or not the student is guilty of a dangerous, illegal or violent Infraction. If the student is found guilty, the hearing officer will review the student's academic and disciplinary record, and parents and student will have an opportunity to present additional information relevant

to the proposed consequence. The hearing officer will make a recommendation regarding the consequence, which may include long-term suspension or expulsion.

If the hearing is conducted by a designee of the Executive Director, the hearing officer's report shall be advisory only and the Executive Director may accept or reject all or part of it.

A parent/guardian may challenge the long-term suspension or expulsion by filing a written appeal to Amani's Board of Trustees within ten (10) business days of the notice of suspension. The appeal must be addressed to the Board Chair and sent by email or by mail. The Board will notify Parents of its final decision in writing.

Note: Expulsion refers to the permanent removal of a student from school.

Alternative Instruction

Charter schools are required to provide alternative instruction in accordance with New York's compulsory education law when students are removed from school. This alternative instruction should be arranged as soon as practicable. Students must receive substantially equivalent education, which the State Education Department has opined is, at minimum, one hour of alternative instruction two hours a day for secondary students.

Charter schools are obligated to provide alternative instruction to students receiving an in-school suspension that removes them from their regular school program. Alternative instruction will be provided for students that are suspended (short or long term). Alternative instruction will begin on the first day of the student's suspension or as soon as practicable.

For a student who has been expelled, alternative instruction will be provided until the student enrolls in another school.

Instruction will take place in one of the following locations: the child's home, a contracted facility, the local library, or a room at the school other than the regular classroom. During any removal for drug or weapon offenses, additional services may include strategies designed to prevent such behavior from recurring. Instruction will be provided by the student's teacher(s), a substitute teacher, an assistant teacher or a tutor hired for this purpose.

Students with Disabilities

Charter schools are required to provide "methods and strategies for serving students with disabilities in compliance with all federal laws and regulations relating thereto. Schools can expect that all students, including students with disabilities, follow their

code of student conduct and violations of the code are subject to the school's discipline procedures. Therefore, students with disabilities have the same responsibilities as all other Amani students but they also have special protections in disciplinary matters . In order to ensure these special protections, the school works closely with the Committee on Special Education (CSE) of the Mount Vernon City School District and Amani's Section 504 Team.

There are specific federal policies and regulations that apply when suspending students with disabilities and these must be adhered to in addition to the due process rights required for all students. Amani must comply with the requirements of the Individuals with Disabilities Education Act (IDEA) and the discipline procedures set forth in 34 CFR Sections 300.530-300.537. These protections apply to students who have Individualized Education Plans (IEPs) and students for whom the school is deemed to have knowledge of a disability.

Due process provides that if a student with a disability, or known to the school as having a disability, is being suspended the school must provide the following:

- If the student is being suspended for less than or equal to 10 consecutive or cumulative days the student is subject to the same due process requirements as short term removal (see above).
- If the student is being suspended for more than 10 cumulative days throughout the school year the school must determine if a pattern of removal exists that constitutes a change of placement.
- If the school determines there is a pattern of removal, a Manifestation Determination Review is required.
- If the student is being suspended for more than 10 consecutive days, a **Manifestation Determination Review** is required.

Manifestation Determination Reviews

- *If the scholar's infraction calls for an OSS, the MDR is designed to determine whether (A) the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or (B) the conduct in question was the direct result of the school's failure to implement the IEP.*
- *The MDR will take place after the suspension hearing (if the student is found responsible for the conduct which is the subject of the hearing) or before the tenth suspension day in a series of short term suspensions.*
- *In order to ensure that a student with a disability is not removed from school on a series of short term suspensions for more than ten days during a school year, Amani will ask the CSE to review the IEP of any student who has had a series of short term suspensions totaling eight days over the school year. The CSE will be asked to conduct an MDR and, if the conduct is found to be a manifestation of the student's disability, to consider revising the student's behavior intervention plan or evaluating the student for a change of placement. In considering a change of placement for a student referred because of disciplinary problems, the*

CSE will follow its ordinary policies with respect to parental notification and involvement.

- *If the MDR Team of the CSE or the Section 504 Team finds that there is a connection is between the student's disability and the behavior that is the subject of the disciplinary proceeding, the School and the CSE or Section 504 Team will help Amani develop a plan to address the behavior, and the student will return to class.*
- *If the hearing officer who conducted the suspension hearing or Executive Director of Amani Public Charter School finds that the student violated the Discipline Code by bringing drugs or a weapon to school or by inflicting serious bodily injury on another person, the student may be removed from school for up to forty-five days, whether or not the conduct was related to the student's disability. The student will be provided with educational services in an interim (temporary) alternative educational setting (IAES) that is arranged by Amani in cooperation with the CSE.*
- *If the MDR team or the 504 Team determines that the student's conduct was not a result of his/her disability, the student may be disciplined in the same manner as a student without a disability.*
- *Parents may request a hearing to challenge the manifestation determination or the IAES. The hearing will be conducted by an Impartial Hearing Officer appointed by the Mt. Vernon City School District. The student will remain in the current educational placement pending the determination of the hearing. If the student has been placed in an IAES for an offense relating to a weapon, drugs or a serious bodily injury, the child will stay in that 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 Amani agree otherwise.*

Note: The special protections, described in this section, may, under certain circumstances, be available for students who do not yet have an IEP or Section 504 Plan. Parents may ask for these protections if they or teachers at Amani requested a CSE evaluation or expressed concerns about a possibility of a disability before the misbehavior that resulted in the disciplinary action occurred. The protections will also be provided if an evaluation has been scheduled or a CSE review meeting is pending.

Students with disabilities have the following additional protections:

- If the student's IEP includes a Behavior Intervention Plan (BIP), the student will be disciplined in accordance with the BIP. If the BIP appears not to be effective, the School will refer the Student to the CSE for an updated functional behavioral assessment.
- If the CSE finds that behavior that is the subject of the disciplinary is a manifestation of the student's disability the School will work with the CSE to develop a plan for the student's immediate return to school and will conduct a new functional behavioral assessment for the purpose of revising the behavioral intervention plan;

- The School will also provide the parent of the student with a copy of the procedural safeguards notice and a notice of IDEA rights to students whose parents have expressed concern about possible disability.
- The School will work with the CSE to expedite evaluations of students who are suspected of having a disability.
- Alternative education provided during any suspension of a student with a disability will include any special services required by the Individualized Education Program (IEP) prepared by the Committee on Special Education (CSE).
- Alternative educational services during suspension will address the behaviors that led to the suspension and will be provided to the extent necessary to enable the child to appropriately progress in the general curriculum and to achieve the goals of his or her IEP.

Student Records

Amani will maintain written records of all suspensions and expulsions 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.

Appeals to Amani's Authorizer

If the Decision of the Trustees with respect to short-term suspension, long-term suspension, or expulsion is not satisfactory to the family, Parents may appeal to the school's authorizer, NYSED, by emailing CharterSchools@nysed.gov or calling 518-474-1762.

Gun Free Schools Act

Charter schools must adhere to the Gun-Free Schools Act, which requires a student who is determined to have brought a firearm to school, or possessed a firearm at school, to be suspended for no less than one year.

The school/board may modify such suspension requirements on a case-by-case basis. School's compliance with the Gun-Free Schools Act, meaning that the school will suspend a student for at least one full calendar year if it is determined, following a due process hearing, that the student was in possession of a firearm at school(firearm is defined in 18 U.S.C. § 921(a)). § The school can modify the term of the suspension on a case-by-case basis.

Harassment, Intimidation, and Bullying Prevention and Intervention Policy **Dignity for All Students Act (DASA)**

Introduction

Amani Public Charter School is committed to providing an educational and working environment that promotes respect, dignity and equality. Amani recognizes that discrimination, such as harassment, hazing and bullying, are detrimental to scholar learning and achievement. These behaviors interfere with the mission of the school to educate its scholars and disrupt the operation of the school. Such behavior affects not only the scholars who are its targets but also those individuals who participate and witness such acts.

To this end, Amani condemns and strictly prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events.

Discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds which can be reasonably expected to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other scholars are prohibited, and may be subject to disciplinary consequences.

Definitions

Harassment: Harassment has been defined in various ways in federal and state law and regulation. Amani recognizes that these definitions are important standards, but the school's goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Scholars Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a scholar's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a scholar to fear for his or her physical safety. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race;
- color;
- weight;
- national origin;
- ethnic group;
- religion;
- religious practice;
- disability;

- sex;
- sexual orientation; or
- gender (including gender identity and expression).

Intimidation: Intimidation is intentional behavior that would cause a person of ordinary sensibilities fear of harm or injury. It is not necessary to prove that the behavior caused the victim to actually be frightened.

Bullying: Bullying is a form of harassment that consists of inappropriate persistent behavior including threats of intimidation of others, treating others cruelly, terrorizing, coercing, stalking, or habitual put-downs and/or badgering of others, whether done directly, indirectly, face to face or remotely through electronic communication.

Types of bullying include:

- **Verbal**- involves taunting, teasing, name calling, and threats;
- **Physical**- the most common form; including hitting, kicking, pushing and taking personal belongings;
- **Emotional**- includes spreading rumors, manipulating social relationships, and engaging in social exclusion, extortion, or intimidation;
- **Cyber**- including the use of cell phones, instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass, threaten or intimidate someone.

Disciplinary Consequences and Remediation

While the focus of our policy is on prevention, bullying acts may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Offenders will receive in-school guidance in making positive choices in their relationships with others. If appropriate, disciplinary action will be taken by the administration in accordance with the district's Code of Conduct, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Consequences for a scholar who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the scholar, and the scholar's history of problem behaviors, and must be consistent with the school's Code of Conduct. Consequences and remedial measures may include, but are not limited to:

Consequences

- Admonishment;
- Temporary removal from classroom;
- Contact scholar's parent
- Deprivation of privileges;
- Detention;

- Referral to Dean;
- In-School Behavioral Redirection
- Formal meeting/conference with parent
- Suspension;
- Loss of after school privileges;
- Request formal evaluation
- Legal action;
- Expulsion.

Personal Remedial Measures

- Mediation;
- Peer support group;
- Corrective instruction or other relevant learning or service experience;
- Behavioral assessment or evaluation;
- Behavior management plan;
- Referral to Social Work Team
- Outside/Community Based counseling
- Parent conferences;
- Therapy.

Environmental Remedial Measures

- School climate improvement;
- School policy and procedures revisions;
- Modifications of schedules;
- Adjustment in hallway traffic;
- Parent conferences;
- Increased supervision in specific areas;