Student Code of Conduct

I. Introduction

The Board of Trustees (the "Board") of The Bronx Global Learning Institute for Girls ("BGLIG") is committed to providing a safe and orderly school environment where students may receive and BGLIG personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other personnel, parents and other visitors is essential to achieving this goal.

BGLIG has high expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity. The board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the board adopts this code of conduct ("code").

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

II. Definitions

For purposes of this code, the following definitions apply.

"Disruptive student" means a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

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

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a school, or in or on a school bus.

"School function" means any school-sponsored extracurricular event or activity, whether in-person or remote.

"Violent student" means a student who:

1. Commits an act of violence upon a school employee, or attempts to do so.
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.
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 property.

"Weapon" means a firearm as defined in 18 USC §921, 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 cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

III. Student Rights and Responsibilities

A. Student Rights

BGLIG is committed to safeguarding the rights given to all students under applicable state and federal law. In addition, to promote a safe, healthy, orderly and civil school environment, all students have the right to:

1. Take part in all BGLIG activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

B. Student Responsibilities

All BGLIG students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all BGLIG policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of BGLIG when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

IV. Essential Partners of BGLIG

A. Parents

All parents are expected to:

Recognize that the education of their child is a joint responsibility of the parent and the school community.

1. Send their children to school ready to participate and learn.
2. Ensure their children attend school regularly and on time.
3. Ensure absences are excused and follow the school's attendance policy.
4. Insist their children be dressed in proper school uniform and groomed in a manner consistent with the student dress code.
5. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
6. Know school rules and help their children understand them.
7. Maintain a climate of mutual respect and dignity.
8. Convey to their children a supportive attitude toward education and BGLIG.
9. Build good relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.

B. Teachers

All BGLIG teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.

3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Know and follow school rules addressing and limiting social interaction between staff and students.
6. Communicate to students and parents:
    a. Course objectives and requirements
    b. Marking/grading procedures
    c. Assignment deadlines
    d. Expectations for students
    e. Classroom discipline plan.

7. Communicate regularly with students, parents and other teachers concerning growth and achievement.

C. Principal

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

D. BGLIG's Executive Director

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review with BGLIG administrators the policies of the Board and state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Review at least annually BGLIG's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
6. Work with BGLIG Principals in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

E. Board of Trustees

1. Collaborate with student, teacher, administrator, and parent organizations; school safety personnel and other school personnel to develop and maintain a code of conduct that clearly defines expectations for the conduct of students, personnel and visitors on school property and at school functions.
2. Lead by example by conducting board meetings in a professional, respectful, courteous manner.

V. Student Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. BGLIG has adopted a school uniform dress code for its students. Each student must wear the school uniform throughout the entire school day unless otherwise instructed by a staff member. Students and their parents have the primary responsibility for ensuring that the student is dressed in the school uniform every day. Teachers and all other BGLIG personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

The principals or his/her designees shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline.

VI. Prohibited Student Conduct

The Board expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, personnel and other members of the school community, and for the care of school facilities and equipment.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. BGLIG personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

The School administrators shall administer comparable disciplinary procedures for Code of Conduct violations that take place at school functions (i.e., school-sponsored or school authorized extracurricular event or activity) or on school property (i.e., school bus) in accordance with BGLIG rules.

Students may be subject to disciplinary action, up to and including suspension from school (and, in extreme cases, expulsion from school), when they engage in impermissible behavior in the school, at school events, on the way to and from school, and/or online.

A. Engage in conduct that is disorderly. Examples of disorderly conduct include:

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act, which disrupts the normal operation of the school community.
6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of BGLIG's acceptable use policy.

B. Engage in conduct that is insubordinate or disruptive. Examples of insubordinate conduct include:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving school without permission.
3. Skipping detention.

C. Engage in conduct that is violent. Examples of violent conduct include:

1. Committing an act of physical aggression (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
2. Committing an act of physical aggression (such as hitting, kicking, punching, and scratching) upon a student or any other person lawfully on school property or attempting to do so.

3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other employee or any person lawfully on school property, including graffiti or arson.
7. Intentionally damaging or destroying BGLIG property.

E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:

1. Lying to school personnel.
2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false statements or representations, orally or in writing, about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
4. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
5. Harassment, bullying or cyberbullying (harassment carried out over the internet, via cell phone or other electronic means), which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as ridiculing or demeaning.
6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
7. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
8. Selling, using or possessing obscene material.
9. Using vulgar or abusive language, cursing or swearing.
10. Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco.
11. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. “Illegal substances” include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as “designer drugs.”
12. Inappropriately using or sharing prescription and over-the-counter drugs.
13. Gambling.
14. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
15. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.

F. Engage in misconduct while on a school bus

It is crucial for students to behave appropriately while riding on school buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, cursing, threatening and fighting will not be tolerated.

G. Engage in any form of academic misconduct. Examples of academic misconduct include:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering records.
5. Assisting another student in any of the above actions.

VII. Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a teacher, principals, Executive Director or his/her designees. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function, or witnessing violent behavior, bullying, cyberbullying or other potential acts of harassment, shall report this information immediately to a teacher, principals, the principals' designees, Executive Director or the Board.

All BGLIG staff that are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. BGLIG staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

The principals or their designees must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of BGLIG as soon as practical, but in no event later than one business day after the principal or his or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

VIII. Disciplinary Penalties, Procedures and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances, which led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate
6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. The student shall be referred to the Committee on Special Education as appropriate.

A. Penalties

Students who are found to have violated BGLIG's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning – any member of BGLIG staff
2. Written warning – Teachers, Principal
3. Written notification to parent – Teachers, Principals
4. Detention – Teachers, Principal
5. Suspension from transportation – Principals, Executive Director
6. Referrals – Teachers, Principal, Executive Director, Board
7. Suspension from social or extracurricular activities – Principals, Executive Director
8. Suspension of other privileges – Teachers, Principal
9. In-school suspension – Principal
10. Removal from classroom by teacher – Teachers, Principal
11. Short-term (10 days or less) suspension from school – Principals, Executive Director Board
12. Long-term (more than 10 days) suspension from school – Hearing Officer, Board
13. Expulsion – Hearing Officer, Board

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel investigating the matter.

School administrators shall adopt the following due process procedures:

- Student shall have an opportunity to present his/her version of the facts.
- School administrators shall conduct an investigation and consult with witnesses.
- Upon a determination that a violation has been committed, the school administrator shall provide the parent/guardian of the student with a summary of incident and the form of discipline to which the student shall be subject (for infractions calling for a short-term suspension or less) or informed about the need for a hearing (for infractions calling for a long term suspension or expulsion).
- Parent may arrange a Principal/Parent Conference to discuss the Code of Conduct violation and the school administrator's determination.
- Parent may elect to appeal the school administrator's determination and form of discipline by submitting a letter of appeal to the Executive Director.
- Parent may elect to appeal the school's Executive Directors determination and form of discipline by submitting a letter of appeal to the School Board of Trustees.

Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention

Teachers and the principal may use after school detention or lunch detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the NYC Department of Education, principals or his/her designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely.

A student subjected to a suspension from transportation is not entitled to a full hearing. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the principals or the principals' designee to discuss the conduct and the penalty involved.

3. Suspension from extracurricular activities and other privileges

A student subjected to a suspension from extracurricular activities or other privileges is not entitled to a full hearing. However, the student and the student's parents will be provided with a reasonable opportunity for an informal conference with BGLIG officials imposing the suspension to discuss the conduct and the penalty involved.

4. In-school suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes the principal to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension."

A student subjected to an in-school suspension is not entitled to a full hearing. However, the student and the student's parents will be provided with a reasonable opportunity for an informal conference with BGLIG officials imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in another classroom or in an administrator's office; (2) talking with the student in the hallway briefly; (3) sending a student (escorted by an adult) to the principal's office for a brief period of time; or (4) sending a student to another appropriate BGLIG staff member for brief counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24-hours. If a teacher orders a student to be removed immediately, the student will be sent to the principal/or guidance counselor depending on the nature of the incident.

The teacher must complete a school-established disciplinary removal form and meet with the principal or his designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24-hours after the student's removal, the principal or another BGLIG administrator/staff designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The principal may require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

The principal or the principals' designee may overturn the removal of the student from class if the principal finds any one of the following:

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law, including BGLIG code of conduct.
3. The conduct warrants suspension from school and a suspension will be imposed (short term suspension) or a hearing scheduled (long term suspension).

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

Each teacher must keep a complete log (on a BGLIG provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class.

6. Suspension From School

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the principal.

All suspended students will receive alternate instruction within 24 hours of suspension. Suspended students will be sent to an assigned room within the school building, supervised by school staff, to serve their suspension.

Any staff member may recommend to the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a. Procedures and Due Process for Disciplinary Action: Short-Term Suspension

If a student commits an offense that calls for short-term suspension (10 days or less), the student is afforded the due process rights required by *Grass v. Lopez* 419 (U.S. 565 (1975). Such student is subject to the following:

1. If necessary, the student is immediately removed from class and/or school;
2. The student is entitled to respond to the charges against him/her;
3. The Principal or his/her designees addresses the conduct and assigns an appropriate consequence;
4. The parent/guardian is notified by the Principal or his/her designees; and
5. A parent or guardian may be required to meet with the Principal or his/her designee(s) regarding infarction prior to a student's return to school.

b. Procedures and Due Process for Disciplinary Action: Long-Term Suspension or Expulsion

If a student commits an offense that calls for long-term suspension (more than 10 days) or expulsion, the following steps are taken:

1. If necessary, the student is immediately removed from class and/or school;
2. The parent/guardian is notified by the Principal or his/her designees.
3. The Principal or the Executive Director sets a hearing date and identifies a designee to serve as hearing officer; the student and/or her parent/guardian are notified in writing of the:
    a. Charges and a statement of the evidence;
    b. Date, time and place of a hearing and
    c. Notice of the right at a hearing to be represented by legal counsel (at the student's/parent's own expense) and present evidence and question witnesses;
4. After hearing the case, the hearing officer issues a written decision to be sent to the student, the parent/guardian, the school's Board of Trustees, and the student's permanent record;
5. Any student who is expelled or given a long-term suspension has the right to appeal the decision in writing to the Board of Trustees within 5 days of the date of the hearing officer's written finding. A student's parent/guardian must submit to the Board Chair a letter of appeal within 5 calendar days of the hearing officer's finding regarding suspension or expulsion. The letter must include the reason(s) for the request and any special or extenuating circumstances that may support the reversal of the recommended penalty.

6. A panel of members of the Board of Trustees will promptly hear the appeal and issue a written determination within 5 days. Their determination shall be final.

C. Discipline of Students with Disabilities

In addition to the disciplinary procedures applicable to all students, the following procedures are applicable to students with disabilities. BGLIG 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 BGLIG, 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 shall maintain 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 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. The student shall not be suspended for a total of more than ten 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.

In considering the placement of students referred because of disciplinary problems, the CSE of the student's district of residence is expected to follow its ordinary policies with respect to parental notification and involvement regarding:

1. The commission of an infraction by a student with a disability who has previously been suspended for the maximum allowable number of days.
2. The commission of any fraction resulting from the student's disability.

Provision of Services During Removal

Those students removed for a period of up to ten 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. BGLIG will also provide additional alternative instruction within the ten 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 ten 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.

Where a student with an IEP engages in particularly dangerous behavior, namely by having a weapon or drugs at the school or by inflicting serious bodily harm on another person while at school, he or she may be removed pursuant to in 34 CFR 300.530(g) to an interim alternative education setting for not more than 45 school days without regard to whether the behavior is determined by the CSE to be a manifestation of the child's disability. This may be the case where a student:

- Carries or possesses a weapon to or at school, on school premises, or to or at a school function; or
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function; or
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

During any removal for drug or weapons offenses, 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 300.530(g). 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 for Students with Disabilities

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 by the CSE 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.

Parents may request a hearing to challenge the manifestation determination. Except as provided below, the student will remain in her current educational placement pending the determination of the hearing.

If a parent requests a hearing or an appeal to challenge the interim alternative educational setting or the manifestation determination resulting from a disciplinary action relating to dangerousness, weapons or drugs, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period (no longer than 45 days) provided for in the disciplinary action, whichever occurs first, unless the parent and school agree otherwise.

D. Referrals

Counseling

The principal shall handle all referrals of students to counseling. The principal will meet with the Pupil Personnel Committee. They will review all notes; they will review all parent conference minutes as well. If the child does not have an IEP, the principal in consultation with the Pupil Personnel Committee will determine the nature and frequency of the counseling that may be required.

Family Court Referrals

BGLIG may file a Person in Need of Supervision ("PINS") petition in Family Court on any student who demonstrates that he or she requires supervision and treatment by:

a. Being habitually truant and not attending school.
b. Engaging in an ongoing or continual course of conduct, which makes the student ungovernable, or habitually disobedient, and beyond the lawful control of the school.
c. Knowingly and unlawfully possesses any illegal drugs or controlled substances.

Juvenile Delinquents and Juvenile Offenders

The principal is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

1. Any student who is found to have brought a weapon to school.

E. Off-Campus Discipline Policy

At BGLIG, the discipline policy will be the same for off-of-campus activities that impact the educational environment as it is on campus, including on the school bus or any other means of student transportation, and is applicable to all off-site trips as well as to stores that students may visit on the way to or from school. In that way, the school will maintain a "door-to-door" discipline policy, which begins when students leave their home to come to school, and ends when they reach home or their final destination after school. These policies also extend to acceptable use on social media sites, including, but not limited to Facebook, Instagram and Snapchat. Consequences for cyberbullying, for example, will be similar to those for bullying on campus.

F. Remote Learning Behavior Expectations

In order to continue to provide a structured learning environment, it is important for all scholars to abide by the Code of Conduct, even while BGLIG is providing instruction in a remote setting.

All scholars are expected to abide by the following. Failure to do so may result in disciplinary consequences in accordance with our Code of Conduct.

- **Be respectful of your teacher and classmates**: Be courteous to the teacher and to your classmates. Sign in on time for your class and do not leave early.
- **Arrive to class prepared and focused:** Come to the class prepared with paper, a pencil and any other writing tool required for instruction. Close all other applications, webpages before instruction begins.
- **Reduce distractions**: If possible, please set your computer up in a place that doesn't have background distractions for others.
- **Don't bring your device into the bathroom:** Just as with regular school, go to the bathroom before class. If there's an emergency, make sure you know how to temporarily disable the video and mute yourself and then turn everything back on again.
- **Conduct yourself well on camera**: Look at the screen, and when you are talking look straight into the camera, keep the microphone on mute when you're not speaking; unmute your device when you're ready to talk; turn off the camera when you need to be offline, or you do something not related to the class, etc.

- **Dress code**: Wear appropriate dress attire while participating in your online class.
- **Refrain from**: using other mobile devices or eating during class unless your teacher instructs you to, or introducing pets or other family members that may interrupt the class.
- **Be an active participant in the class**: Ask questions in the chat box, raise your hand and wait for the teacher to call on you. When utilizing the chat box, please be considerate, polite, and do not use slang or inappropriate language. The school has a strict policy against cyberbullying and electronic harassment. Wait for your turn to speak, only one scholar should contribute to the class or talk at the same time.
- **Be focused and remain attentive**: Pay attention to your teacher and your classmates when they are speaking during class. Stay engaged- no eye rolling, laying down, or distracting other classmates on screen.
- **Missed instruction**. If instruction is missed, it is the student's responsibility to contact their teacher and find out what they missed.
- **Avoid Plagiarism & Cheating**- Ensure that the work you are turning in is your own and is not plagiarized. If you are unsure, contact your teacher prior to submitting the work. Students are expected to take exams without assistance from other family members or other students.
- **No Recording**- the privacy and confidentiality of all participants is important. Taking photos, screenshots and/or video recording of any type is prohibited during remote instructions, as well as posting any portions of the class to social media.

G. The Children's Internet Protection Act

While the school uses Internet resources to achieve educational goals, there is always a risk of students accessing other materials. However, we believe that the benefits of using technology outweigh the disadvantages. Teachers are trained in the appropriate use of technology with students, but ultimately, parents of students are responsible for setting and conveying the expectations regarding the use of media and information sources at home and at school. The Children's Internet Protection Act (CIPA) is a federal law enacted by Congress to address concerns about access to the Internet and other information. Under CIPA, schools must certify that they have certain Internet safety measures in place. These include measures to block or filter pictures that:

a. are obscene,

b. contain child pornography, or

c. when computers with Internet access are used by minors, are harmful to minors.

Schools subject to CIPA must adopt a policy such as this to monitor online activities of minors and to address:

a. access by minors to inappropriate matter on the Internet and World Wide Web,

b. the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications,

c. unauthorized access, including so-called hacking; and other unlawful activities by minors online,

d. unauthorized disclosure, use, and dissemination of personal information regarding minors, and

e. restricting minors' access to harmful materials.

BGLIG complies with CIPA by deploying a Web content filtering product which categorizes Internet sites and sends updates to the school site-based hardware. A process is in place for changing the categorization of Web sites.

IX. Alternate Instruction

When a teacher removes a student of any age from class or a student of compulsory attendance age is suspended from school, BGLIG will take immediate steps to provide alternate means of instruction for the student. The school will make provisions for alternate instruction for a suspended student during the entire suspension period and for an expelled student until the student is enrolled in another school or until the end of the school year, whatever comes first. The location of alternative instruction will be reasonably accessible to the student. Alternative instruction will not be the provision of homework, assignments, or study hall. The Board ensures that the alternate instruction provided will be sufficient to enable the student to make adequate academic progress. The assignments given to each student for the period of time he/she is suspended will correlate with the curriculum topics that are being taught through the time of suspension. The classroom teacher in consultation with the principal and instructional coaches to ensure alignment provides the assignments. When the student returns, his/her work will be reviewed and if necessary, a tutorial will be set-up to bridge any gaps.

X. Use of Physical Force

Corporal punishment in any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any BGLIG employee is strictly forbidden.

However, in situations where alternate procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school functions, powers and duties, if that student has refused to refrain from further disruptive acts.

Reasonable physical force may be used to retrain a student in circumstances delineated in Section X of the Code of Conduct. In all cases, the physical force used shall overcome resistance from the student only and be terminated when the student ceases his/her actions. The amount and type of force used shall be commensurate with the student's age, physical characteristics and disability. School employees shall attempt to use a type of force designed to subdue the student.