



Elmwood Village Charter Schools Code of Conduct

1. Mission Statement

The Elmwood Village Charter Schools' mission is to provide a stimulating and engaging learning environment that recognizes student capability, fosters connectedness to immediate and broader communities, and offers ways to contribute to school life. EVCS believes that all children can and will learn at high levels when provided with the right learning conditions.

2. Vision Statement

EVCS graduates will have the confidence to pursue their unique aspirations and act with agency to contribute to their local community and beyond.

3. EVCS Expectations and Goals

All students are expected to adhere to the EVCS Code of Conduct regardless of the mode of instruction in which they participate (e.g., in-person or virtual).

We expect students to respect the rights and privileges of others and accept responsibility for their own actions and the consequences of their behavior.

Our goals with respect to school culture and student conduct are to:

- Establish a calm, peaceful, and orderly environment for learning.
- Give students the opportunity to be capable, connected, and contributing members of the school community.
- Teach and help children to develop self-control and self-discipline.
- Teach children to be responsible members of a democratic community.
- Promote and model respectful, kind, and healthy social interactions.
- Help children become aware of their actions.
- Help children become aware of how their actions can bring positive and negative consequences to themselves and others.
- Use respectful strategies to stop misbehavior and restore positive behavior as quickly as possible.
- Preserve the dignity of every child.

4. Behavior Standards

A positive and safe learning environment is a critical factor in student and school success. This responsibility is shared by students, families, staff, and administration. When everyone in the community works collaboratively and proactively to promote success, the need for disciplinary action is reduced. Students at the Elmwood Village Charter Schools must adhere to the following Behavior Standards in school and when participating in EVCS events and activities, including field trips, extracurricular activities, and community events:

- a. Follow classroom and school rules at all times
- b. Demonstrate respect for other students
- c. Demonstrate respect for teachers and staff

- d. Demonstrate respect for school property and spaces, and offsite property and spaces while in the community while representing EVCS
- e. Act in a way that is safe and non-threatening
- f. Behave in ways that do not interfere with the learning of others
- g. Use language that is appropriate for school and is not offensive to others
- h. Take responsibility for one's own actions and choices
- i. Come to school on time, prepared and ready to learn
- j. Adhere to the School's dress code
- k. Ask for help respectfully and at appropriate times

5. Cooperative Discipline and Responsive Classroom

EVCS uses the Cooperative Discipline and Responsive Classroom approaches to establish and maintain a safe and positive school culture.

Cooperative Discipline: Developed by Rudolf Dreikurs, Cooperative (or Social) Discipline is the foundational theory behind the Responsive Classroom approach, and a cornerstone of the culture at EVCS. Cooperative Discipline is rooted in the notion that educators and student work cooperatively to create:

- A safe, orderly, and inviting community
- A sense of connectedness and belonging
- Opportunities to turn mistakes into learning experiences

The Three Cs of Cooperative Discipline and Responsive Classroom: EVCS believes that students will be successful when they are in an environment that fosters opportunities for them to be **capable, connected, and contributing** members of their school community.

- Capable – Students must develop an “I can” belief and understand that they have agency over their own success.
- Connected – Students must feel connected to each other and to the adults in the school community through acceptance, attention, appreciation, affirmation, and affection.
- Contributing – Students must have opportunities to contribute to school life, activities, and the wider community.

CARES: EVCS explicitly and consistently teaches students to demonstrate the behaviors and social skills that contribute to a safe and positive school culture. These social skills are represented by the acronym CARES:

- Cooperation - working together towards a common goal
- Assertion - speaking up for oneself or others respectfully and with a positive goal in mind
- Responsibility - taking ownership over actions, choices, and learning in a way that helps oneself and the community as a whole
- Empathy - demonstrating care and understanding for others without judgment
- Self-Control - demonstrating the ability to express oneself and one's needs appropriately



6. Responses to Misbehavior

EVCS uses the following Responsive Classroom approaches to respond to inappropriate behavior in the classroom.

- Reinforcing Language - Teachers will first reinforce the expected behavior.
- Reminding Language - Teachers will remind students of the expected behavior.
- Redirecting Language - Teachers will firmly but respectfully redirect students back to the expected behavior.

If students do not meet expectations, EVCS implements the following Responsive Classroom steps to help students regain a sense of self-control and return to learning with support.

- Positive Time Out/Space and Time - Each classroom is equipped with a space for students to have a break in the classroom and receive support to return to learning as quickly as possible
- TAB Out - If a positive break in the classroom is unsuccessful, students may TAB Out, or take a break outside of the classroom. This may take place in the Wellness Suite, or in another supervised space. Students will participate in a short reflective activity and/or problem-solving conversation with an adult to receive support in order to return to learning as quickly as possible.
- Behavior Referral - If supportive measures are unsuccessful or if a student demonstrates a behavior that violates the EVCS Code of Conduct, students may be referred to the Student Support Team for additional support or interventions. Behavior referrals may also result in consequences and/or disciplinary action.

7. Logical Consequences

Logical consequences are applied to help students take accountability and responsibility for their actions, learn from their mistakes, and develop skills to self-regulate and/or self-correct. Examples of Logical Consequences at EVCS include but are not limited to:

- Apology of Action: Students develop an actionable way to make amends for hurt feelings
- Break It - Fix It: Students are responsible for repairing what has been accidentally or intentionally broken or damaged
- Loss of Privilege: Privileges are not rewards. Rather, privileges are opportunities to learn to be reliable, and take responsibility for following the rules. Loss of privilege helps students learn the connection between responsibility and privileges and is not a punishment. Loss of privilege at EVCS includes but is not limited to:
 - A reflective or structured recess or lunch time
 - An alternative lunch location
 - An assigned seat
 - A hallway escort
 - Staying back from a field trip
 - Removal from an extracurricular activity or team
- Family Meeting: EVCS works closely with families to develop a partnership that contributes to overall student success. We may require a family meeting in order to develop a plan to help students who are not meeting behavioral standards or expectations at EVCS.



- Saturday School: Students may be assigned a half-day Saturday School as a consequence. The purpose of Saturday School is to provide students with structured lessons in order to help build the skills they need to be successful, to self-correct, and to prevent future instances of misbehavior in school.

8. Behavioral Supports and Interventions

When students have difficulty meeting expectations, school professionals may implement supports and interventions, including but not limited to:

- Problem Solving Conference - A collaborative process that puts the student at the center of solving their own problem
- Behavior Contract - School staff may design written agreements with students to identify target behaviors, define expectations, and describe consequences.
- Restorative Practices - Non-punitive practices to help students become more reflective and empathetic.
- Referral to School Counselor - In cases of continuous behavioral problems; acts of aggression; harassment, intimidation, discrimination, or threats of violence; or threats to harm oneself or others, students may be referred to the school counselor. School officials or the school counselor will contact parents/guardians if short or long-term counseling is recommended or required. School counselors will always conduct a risk-assessment if a student makes a statement about self-harm. The results of that risk assessment will be communicated to a parent/guardian.
- Functional Behavioral Assessment - In some cases, the Behavior Intervention Specialist will conduct a functional behavioral assessment to determine the root cause of a student's behavior and to identify patterns or trends.
- Behavior Support Plan - In some cases, the Behavior Intervention Specialist, in collaboration with other school professionals, will create an individualized behavior support plan to assist a student.

9. Disciplinary Action

Students who continue to demonstrate behaviors that do not meet the EVCS Behavior Standards or violate the EVCS Code of Conduct may be subject to disciplinary action.

Short-Term Suspension

A short-term suspension, under applicable Federal Law and Regulations, is a suspension from school for 10 school days or less. A student who is determined to have committed any of the infractions listed below may be subject to a short-term suspension, unless the Principal determines that an exception should be made based on the individual circumstances of the incident and the student's disciplinary record. Depending on the severity of the infraction, a long-term suspension also may be imposed and referrals to law enforcement authorities may be made. The Principal has the authority to impose a short-term suspension.

When a short-term suspension is imposed, the parent/guardian shall receive written notice of the suspension. Prior to any short-term suspension, the Principal shall provide the student with the following due process:

- Notice of the charged misconduct, and, an opportunity to deny or explain the act of misconduct and present their own version of events.
- If the student denies the charges, the principal shall provide the student with an explanation of the basis for the suspension prior to implementing such penalty, as appropriate.



Disciplinary Infractions That May Result in a Short-Term Suspension

Acts of misconduct (in school or electronically out of school when there is a risk of substantial disruption within the school environment) that may warrant a short-term suspension include, but are not limited to the following:

- Assault or attempt to assault another student or staff member
- Bullying, harassment (including sexual harassment), discrimination, or acts of intimidation (in school or electronically)
- Bus conduct violations
- Defiance, disrespect, or insubordination
- Dishonesty
- Disruption that endangers or threatens to endanger the safety, health, welfare, learning, or morals of others
- Dress code violation that disrupts the educational process
- Gambling
- Physical aggression
- Technology use/Acceptable Use Policy violation
- Theft
- Threats, including threats of violence
- Truancy
- Vandalism of school or personal property resulting in minor damage
- Other improper conduct that significantly disrupts or threatens to disrupt the safety of others or the education of other students

Upon return to school, students and a parent/guardian are expected to attend a re-entry conference. The student will also participate in reflective and restorative activities upon return to re-emphasize expectations and encourage a positive transition back to learning.

Long-Term Suspension

A long-term suspension is an out-of-school suspension for more than ten (10) school days. A student who is determined to have committed any of the infractions listed below, or repeats an offense listed above, may be subject to a long-term suspension, unless the Principal determines that an exception should be made based on the individual circumstances of the incident and the student's disciplinary record.

If the Principal determines that a suspension for more than ten days may be warranted, a parent/or guardian shall receive written notice of the initial suspension period. The parent/guardian shall also be provided with a written notice to participate in a disciplinary hearing. At the hearing, the student shall have the right to be represented by counsel (at the cost of the parent/guardian), the right to question witnesses against the student, and the right to present witnesses and other evidence on the student's behalf.

The Principal may designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A digital recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and, when warranted, recommendations as to the appropriate measure of discipline to the Principal. The report of the hearing officer shall be advisory only, and the Principal may accept all or any part thereof.



After a student is found guilty at a disciplinary hearing, the Principal may impose a long-term suspension and shall issue a written decision informing the parent of the outcome. If the parent/guardian seeks to challenge the Principal's decision, the parent/guardian must file a written appeal to the Board of Trustees within 30 days of the Principal's decision. If the parent/guardian seeks to appeal the Board of Trustees decision, the appeal must be filed with the Charter Authorizer within 30 days of the Board of Trustees decision.

Disciplinary Infractions That May Result in a Long-Term Suspension

Acts of misconduct which may warrant a long-term suspension include, are not limited to, the following:

- Assault of any other student or staff member
- Acts of bullying, harassment, discrimination, or acts of intimidation (in school or electronically)
- Acts of sexual harassment, including but not limited to sexually related physical contact or offensive sexual comments
- Causing physical injury to another person, except when the student's actions are reasonably necessary to protect himself or herself from injury
- Commits or attempts to commit arson on school property
- Possession, sale, purchase, distribution, or use of any alcoholic beverage
- Possession, sale, purchase, distribution, or use of marijuana or marijuana substance
- Possession, sale, purchase, distribution, or use of any illegal drug, controlled substance, imitation or lookalike on school property or at any school-sponsored event
- Threats of violence (in school or electronically) involving a weapon
- Vandalizing school or personal property resulting in major damage
- Weapons - possession, use, attempt to use, or transfer of any firearm, knife, razor blade, explosive, mace, tear gas, BB/pellet gun, or other dangerous object of no reasonable use to the student at school
- Other improper conduct that significantly disrupts or threatens to disrupt the safety of others or the education of other students

Partnership with families is essential for ensuring a safe school climate, and for contributing to student growth and success. Upon return to school from suspension, students and a parent/guardian are required to attend a re-entry conference. The student may also participate in reflective and restorative activities upon return to re-emphasize expectations and encourage a positive transition back to learning.

Note: The Federal Gun-Free School Act of 1994, which applies to charter schools, states that a student who is determined to have brought a weapon to school must be suspended for at least one calendar year. School administrators, however, may modify this suspension requirement on a case-by-case basis. Weapon as used in this law means a "firearm" as defined by 18 USC 8921, and includes firearms and explosives. New York Education Law 3214(3)(d) effectuates this federal law. Students with disabilities found to engage in such misconduct will be suspended in accordance with the requirements of New York State and Federal Law.

10. Expulsion from EVCS

An expulsion is the permanent removal of a student from the school. In the case of conduct which, in the school's judgment, warrants expulsion, the student may first be subjected to a short or long-term suspension. The procedures to be followed where expulsion is proposed are the same as for Long-Term Suspensions above.



If, after a disciplinary hearing, the school expels a student, the school will cooperate with any school to which the student seeks to enroll, including providing the receiving school with all relevant information regarding the student's academic performance and student records, upon request of the school or parent/guardian.

11. Alternate Instruction

During any out of school suspension, a student will be provided with alternative instruction. For students in Grades K-6, a student shall receive two (2) hours of instruction per day. For students in Grades 7-12, a student shall receive three (3) hours of instruction per day. Students with disabilities shall receive alternate education in conformity with federal and state law.

12. Referral to Law Enforcement

If a student engages in any illegal activity, including but not limited to possession of illegal drugs, possession of a weapon, assault, sexual harassment or sexual offense, threats of violence, theft, vandalism, or instances of cyberbullying, EVCS may be required to contact law enforcement. In such instances, a student's parent/guardian will be notified promptly.

13. Discipline of Students with Disabilities

Students with disabilities have the same rights and responsibilities as other students, and may be disciplined for the same behavioral offenses. Students identified as having a disability does afford them additional rights and protections in accordance with federal and state law.

Students for whom the Individualized Education Plan ("IEP") includes specific disciplinary protocols will be disciplined in accordance with those protocols. If the disciplinary protocols appear not to be effective or if there is concern for the health and safety of the student or others if those protocols are followed with respect to a specific infraction, the matter will be referred to the Committee on Special Education ("CSE") for consideration. Students for whom the IEP does not include specific disciplinary protocols guidelines may be disciplined in accordance with standard school policy relating to each infraction.

The School will keep a record of the number of days a student with a disability has been suspended or removed for disciplinary reasons.

The Principal has the authority to suspend or remove a student for discipline reasons.

The School will arrange appropriate alternate instruction and continuation of special education related services in accordance with federal and state law.

The parents and the student with disabilities will receive appropriate notification in writing regarding the suspension or removal for disciplinary reasons.

Parents/guardians will receive a copy of the student's due process rights in compliance with the law.



Manifestation Determination Review (MDR)

If a student with a disability is subjected to a series of removals or suspensions which total ten (10) or more school days in a school year, it constitutes a “pattern” and is considered to be a disciplinary change in placement.

When a student with a disability is suspended a total of seven (7) days or more in a school year, a pattern determination will be conducted and a determination made whether the suspensions constitute a pattern in that school year.

In no event may a student with a disability be suspended beyond ten (10) consecutive school days (or beyond a series of removals which constitute a pattern of exclusion of more than ten (10) school days in a school year) until a manifestation determination review has been conducted. In such case, the student shall remain in their current educational placement unless the parent and EVCS mutually agree to the student remaining in an alternate placement.

If the Manifestation Team determines that there is manifestation:

- A suspension may not continue beyond ten (10) school days.
- The student must be returned to the original placement from which the student was removed unless the parent or guardian agrees to a change in placement to an alternate setting.
- The Manifestation Team must conduct a functional behavioral assessment and implement a behavior intervention plan (BIP). If the student already has a BIP, the Manifestation Team is required to review and modify such plan as necessary to address the behavior.

If it is determined by the Manifestation Team that the behavior was not a manifestation of the student’s disability, the student may be disciplined in accordance with the relevant disciplinary procedures applicable to children without disabilities, although it may be provided in an Interim Alternative Educational Setting (IAES) as determined by the school district of residence.

Discipline of Students with Disabilities Possessing Weapons , Illegal Drugs or Inflicting Serious Bodily Injury

If, after a disciplinary hearing, the hearing officer determines that a student with a disability is guilty of charges involving the possession of a “weapon” at school or at a school function, or the student knowingly possessed or used “illegal drugs” or sold or solicited the sale of a “controlled substance” while at school or at a school function, or the student has inflicted serious bodily injury upon another while at school or at a school function, the following shall apply:

The Principal may order a change in placement to an appropriate IAES for a period of not more than 45 school days, whether or not the behavior is determined to be a manifestation of the student’s disability.

The Principal (or their designee) shall refer such student to the CSE of the school district of residence.

The school shall determine the IAES necessary to provide the student with a free appropriate public education (FAPE) including: (1) services so as to enable the student to continue to participate in the general educational curriculum, although in another setting, and to progress toward meeting the goals set out in the student’s IEP; (2) the alternative setting where the services will be provided; (3) the student’s need, as appropriate, for a functional behavioral assessment (FBA) and behavioral intervention plan (BIP); and (4) modifications that are designed to address the behavior violation so that it does not recur.



If the Manifestation Team determines that there is a manifestation or connection between the student’s misconduct and his/her disability, the student shall return to his/her previous educational placement at the expiration of the forty-five (45) school day interim placement, unless the parent and the school agree to a change of placement as part of the student’s modification of the behavioral intervention plan.

If the Manifestation Team determines that the behavior was not a manifestation of the student’s disability, and a change in placement is sought that would exceed the forty-five (45) school day interim placement, the relevant disciplinary procedures applicable to students with disabilities may be applied in the same manner and for the same duration as would apply to students without disabilities, although the educational services may be provided in an interim alternative educational setting. In that event, the student shall continue to receive a FAPE as determined by the Manifestation Team of the school district of residence.

Definitions:

- “Weapons” means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2½ inches in length.
- “Illegal Drugs” means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of Federal law.
- “Serious Bodily Injury” means bodily injury which involves a substantial risk of death, extreme physical impairment; protracted and obvious disfigurement; or protracted loss or impairment of a function of a bodily member or organ or mental faculty.

Students With Disabilities Who Engage in Dangerous Misconduct

If the Principal determines that maintaining a student with a disability in their current placement is substantially likely to result in an injury to the student or to others (whether or not a disciplinary proceeding is presently in progress relative to a specific charge of misconduct), the Principal can request an expedited impartial hearing seeking to change the student’s placement to an appropriate interim educational setting for not more than forty-five (45) school days.

14. EVCS Attendance Policies

There is a direct correlation between student attendance and student achievement. EVCS will work with families to ensure that every child is in school and arriving on time every day.

Attendance Goals:

- Each student will attend school on time and participate in the full instructional day
- Late arrivals are kept to a minimum
- Early departures are kept to a minimum

Late Arrivals and Early Departures:

Morning Meeting is a vital part of the Responsive Classroom approach and the EVCS school day. Tardy students miss out on important activities that build a strong community, inform them of the day’s activities and schedule, and



set a positive tone for the school day. EVCS also maximizes every minute of instructional time. Students who leave early are missing out on important instructional activities and may be at risk of falling behind academically.

Please make every effort to keep tardies and early departures to a minimum. Early departures must be reported in School Dismissal Manager by 2:00 PM every day. Students will not be released between 2:30 and 3:05 PM for unscheduled early departures to ensure proper safety and supervision during dismissal.

Attendance Procedures:

- Attendance is taken every day at 8:05. Students arriving after 8:05 will be marked tardy.
- Absences should be reported in School Dismissal Manager, with the reason for the absence.
- Send a note to your child's teacher when the child returns to school in person after an absence. The school will accept notes for up to five days after your child returns to school.
- Send in a note from your child's physician if your child has been absent for three or more consecutive days.
- Notify the school nurse of any health-related issues that may contribute to unusually high absenteeism or tardiness.

Excused Absences:

- student illness
- medical, dental, or counseling appointments
- court appearance
- death in the family
- religious observance
- family emergency
- serious illness in the immediate family

Any other reason is considered an unexcused absence.

New York State considers excessive absences and tardiness to be educational neglect, and schools are required to enforce an attendance policy and notify Child Protective Services of chronic attendance problems. Charter schools are required to report student attendance to New York State each year, and charter schools are held accountable for enforcing attendance policies.

EVCS will take the following steps to assist families in enabling their child(ren) to attend and participate in school instruction every day, on time:

- Daily monitoring and recording of student attendance
- The School's alert system will attempt to contact the parent/guardian on the day of an absence, unless the absence is reported beforehand
- Chronic Tardiness: Chronic tardiness, seven (7) or more tardies, will result in a phone call from the school to discuss the circumstances contributing to the tardiness and offer assistance.
- Unexcused Absences: Once a child has ten (10) unexcused absences, the school will contact the parent/guardian to schedule a meeting to discuss circumstances contributing to the tardiness and offer assistance.
- Once a child exceeds fifteen (15) days of absences, the student's parents/guardians will receive written notification from the school and will be required to meet with the Principal or designee to discuss the circumstances contributing to the absenteeism. Once a child exceeds eighteen (18) days of absences, the



school may file a report with Child Protective Services for further investigation into the causes of excessive absenteeism.

Parents/guardians must report each absence to the main office personnel by calling 716-886-4581 (Days Park) and 716-424-0555 (Hertel), or by reporting an absence with reason in School Dismissal Manager.

15. Dress Code

A student's dress and personal appearance shall:

- be safe, appropriate and not disrupt or interfere with the educational process.
- be appropriate for school. See-through garments are not appropriate and are disruptive to the learning environment. Brief garments such as tube tops, net tops, halter tops, spaghetti straps, tank tops, plunging necklines (front and/or back), low-rider pants, extremely short skirts or shorts are not permitted. Bare skin between upper chest and mid-thigh should be covered by clothing. Pants should be worn at waist level.
- ensure that underwear is completely covered with outer clothing.
- include footwear at all times. Appropriate footwear includes sneakers, loafers, low-heeled shoes and sandals; no flip-flops. Footwear that is a safety hazard will not be allowed.
- not include the wearing of hats or hoods in the classroom except for a medical, religious purpose or school sanctioned functions.
- not include items that are vulgar, obscene, discriminatory, libelous, or denigrate others on account of actual or perceived race (including but not limited to hair texture and protective hairstyles), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, reproductive health decisions, gender or sex (including gender identity).
- be free of inflammatory language, including, but not limited to, profanity, obscenity, violence, weapons, symbols of hate, or any other suggestive or inappropriate writing, advertisement, or artwork.
- not promote and/or endorse the use of alcohol, tobacco or illegal drugs, gang affiliations and/or encourage other illegal or violent activities.
- only include headwear for health, special school events, safety, or religious reasons.

School administration makes the final determination on appropriate attire for school. Students who are not dressed appropriately for school will be removed from class until a parent or guardian can bring them an acceptable change of clothing.

16. Electronic Devices and Acceptable Use Policy

Personal Electronic Devices

EVCS does not permit students to bring personal electronic devices such as cell phones, iPads, smartwatches, etc. to class. In the event that a student may need to bring a cell phone or other personal device to school, it must be turned in to the student's classroom teacher for safekeeping in a lockbox until the end of the day. If a student is found to have a personal electronic device in class, it will be confiscated by staff and kept in the main office lockbox until a parent or guardian can claim the device. Students who do not turn in their personal device on more than one occasion may be subject to disciplinary action. EVCS is not responsible for lost or stolen personal electronic devices.



It is expected that parents who provide their children with personal electronic devices equipped with internet access monitor their devices regularly to ensure students are engaging in communication and consuming content that is age-appropriate and aligned with EVCS' values.

Acceptable Use Policy

Elmwood Village Charter Schools offers each student an opportunity to use school-issued devices and networks for instructional purposes. Students are expected to abide by the Acceptable Use policy in order to maintain this privilege whether on or off campus.

EVCS employs Internet filtering software to restrict students' exposure to any inappropriate images and/or materials. Students are only allowed to use the Internet under the direction and supervision of an EVCS staff member or designee, and only for valid and approved educational purposes. Students may not use or visit any social networking sites while on EVCS issued devices or networks.

Students who violate this policy will have their Internet and/or device privileges suspended for a specified period of time, and may be subject to disciplinary action.

During in-person instruction and remote instruction (where applicable) students will:

- keep their body and chair at their own workstation,
- only use School-provided usernames and passwords,
- get permission to print,
- get permission to re-start, or modify the settings in any way (sound, font, etc.) before changing, adding or deleting programs, files, pictures, icons, etc.
- get permission to save a file or URL to a computer or the network,
- get permission before sending or receiving messages, information, or documents
- only visit websites determined by the instructor,
- not reveal their home address or phone number, or those of other students,
- not use the network in such a way that may disrupt the use of the network by others,
- be courteous and respectful in their messages to others and not use language that is considered offensive or threatening to persons,
- use the technology for its intended purpose.

Any student who does not follow the Acceptable Use Policy will lose their computer/technology privilege and may be subject to additional consequences or disciplinary action.

17. Dignity for All Students Act (DASA)

The intent of the Dignity for All Students Act (the "Dignity Act" or "DASA") is to provide all students with an environment free from harassment, discrimination, bullying, and cyberbullying, as well as to foster civility in school. DASA focuses on the prevention of harassment, discrimination, bullying, and cyberbullying through the promotion of educational measures meant to positively impact school culture and climate.

EVCS prohibits and will immediately investigate and respond to acts of harassment, discrimination, bullying, and cyberbullying, against students by students and/or by school employees on school property or at a school function. EVCS also prohibits off-campus conduct that creates or would foreseeably create a risk of substantial disruption



within the school environment or where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

DASA Terms and Definitions

- “*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 public elementary or secondary school; or in or on a school bus.
- “*School Bus*” means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.
- “*School Function*” means a school-sponsored extracurricular event or activity.
- “*Discrimination*” means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
- “*Emotional harm*” that takes place in the context of “harassment or bullying” means harm to a student’s emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education.
- “*Gender*” means a person’s actual or perceived sex and includes a person’s gender identity or expression.
- “*Sexual Orientation*” means actual or perceived heterosexuality, homosexuality, or bisexuality.
- “*Harassment/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.
- For purposes of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.
- “*Cyberbullying*” means harassment/bullying, as defined above, through any form of electronic communication. Cyber-bullying may include, among other things, the use, both on and off school property, of electronic technology, including but not limited to e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, gaming systems, and social media websites.

Prohibited acts of harassment and bullying include those acts based on a person’s actual or perceived membership in the following groups including, but not limited to: race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender (which includes a person’s actual or perceived sex, as well as gender identity and expression).

To support every student's right to learn, DASA ensures that schools work with families, communities, and law enforcement to help prevent any form of harassment, discrimination, bullying, and cyber-bullying. EVCS will work



closely with parents, our school counselor, and Law Enforcement to help prevent, investigate and address incidents of harassment, discrimination and bullying, and cyber-bullying.

Parents/guardians are advised to do the following:

- Closely monitor your child's use of personal devices and the internet, including texts and activity on apps
- Monitor your child's use of social networking sites (Snapchat, Instagram, TikTok, Facebook, etc.), and online gaming platforms, including direct messages
- Talk with your child about safe and responsible online conduct and communication
- Explain to your child the seriousness of harassment, discrimination, bullying, and cyber-bullying and how to recognize it
- Discuss with your child what he or she should do if he or she is the victim of harassment, discrimination, bullying, and cyber-bullying
- Report incidents of harassment, discrimination, bullying, and cyber-bullying to Dignity Act Coordinators or other school officials along with evidence if possible.

EVCS will thoroughly investigate all allegations of harassment, discrimination, and bullying, and cyber-bullying. Should allegations be found credible, disciplinary actions will be taken in the same manner as other prohibited conduct per our Code of Conduct or, in accordance with any relevant employee handbook, policy, as applicable.

Dignity Act Coordinator

EVCS requires one staff member to be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex. The name and contact information of the DAC appointed by the Principal is as follows:

Days Park Campus: Mrs. Katie Istas, Assistant Principal
(716) 886-4581
40 Days Park Buffalo, NY 14201

Hertel Campus: Mr. Brandon Williamson, Assistant Principal
(716) 424-0555
665 Hertel Ave. Buffalo, NY 14207

Reporting Incidents of Harassment, Discrimination, Bullying and/or Cyberbullying

Students are expected to report incidents of harassment, discrimination, bullying, and/or cyberbullying to a teacher, principal or other staff member.

School employees who witness harassment, discrimination, bullying, and/or cyberbullying or who receive an oral or written report of such acts shall promptly notify the DAC or the Principal/designee not later than one school day after such employee witnesses or receives a report of such acts, and shall also file a written report with the DAC or Principal/designee no later than two school days after making an oral report.

The DAC or the Principal/designee shall lead or supervise the thorough investigation of all reports of harassment, discrimination, bullying and cyberbullying to ensure that such investigation is completed promptly after receipt of any complaint.



When an investigation verifies a material incident of harassment, discrimination, bullying, and/or cyberbullying the Principal/designee shall take prompt action, reasonably calculated to end the harassment, discrimination, bullying, and/or cyberbullying, and/or eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such behavior was directed.

The Principal/designee shall promptly notify the appropriate local law enforcement agency when it is believed that any harassment, bullying, discrimination, or cyberbullying constitutes criminal conduct.

The DAC shall provide a regular report, at least once during each school year, on data and trends related to harassment, bullying, and/or discrimination to the Principal.

Retaliation by any school employee or student shall be strictly prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, discrimination, bullying, and/or cyberbullying.

EVCS encourages all complaints to be made in writing using its harassment, discrimination, bullying, and cyberbullying reporting form found at <https://www.evcsbuffalo.org/bully-alert/>. However, all complaints, regardless of the method that they are submitted, will be promptly investigated.

Remedial and Disciplinary Consequences

EVCS will provide for remedial responses to acts of harassment, discrimination, bullying, and/or cyberbullying of students by students and/or employees, including, but not limited to:

- Peer support groups;
- Assignment of an adult mentor at school that the student checks in with at the beginning and end of each school day;
- Corrective instruction that reemphasizes behavioral expectations or other relevant learning or service experience;
- Engagement of student in a reflective activity, such as writing an essay about the misbehavior and its impact on others and how the student might handle the situation differently in the future and/or make amends to those who have been harmed;
- Participating in a Restorative Justice meeting with the other party involved, if applicable
- Supportive intervention and/or mediation where constructive conflict resolution is modeled;
- Behavioral assessment or evaluation;
- Behavioral management plans or behavior contracts, with benchmarks that are closely monitored;
- Counseling
- Family meetings or regular conferences
- Assigning a disciplinary consequence including short and/or long term suspension

18. Title IX and Sex Discrimination

EVCS is committed to creating and maintaining education programs and activities which are free from sex discrimination and sex-based harassment in accordance with Title IX of the Education Amendments of 1972 (“Title IX”). This policy reaffirms EVCS’s commitment to comply with Title IX and is just one component of EVCS’s overall commitment to maintaining a discrimination and harassment-free educational and work environment.



Reports of sex discrimination may be made in person, by using the contact information for the Title IX Coordinator, or by any other means that result in the applicable Title IX Coordinator receiving the person's oral or written report. This report may be made at any time (including during non-business hours) by using the Title IX Coordinator's telephone number or email address, or by mail to the office address.

Reports of sex discrimination may also be made to any other EVCS employee including members of building leadership or members of the shared leadership team. All reports of sex discrimination, including sexual harassment, will be forwarded to EVCS's Title IX Coordinator.

EVCS has designated and authorized the following EVCS employee to serve as its Title IX Coordinator(s):

Human Resources Manager
665 Hertel Ave
Buffalo, NY 14207
(716) 424-0555 ext 2321

19. Visitors to EVCS

Visitor Policies

- School is a place of work and learning for students and limits must be set for visits to school. The principal is responsible for all persons in the School and on the School's grounds. For these reasons, the following expectations apply to visitors to the School:
- Anyone who is not a regular staff member or student of the School will be considered a visitor.
- All visitors to the School must report to the office of the principal (or designated extension of the principal's office, such as a security sign-in desk) upon arrival at the school. There, visitors will be required to sign in and follow the prescribed building procedures.
- Visitors attending school functions that are open to the public, such as parent-teacher meetings or public gatherings, are not required to register.
- Parents, guardians, or other approved visitors must arrange classroom visits or observations in advance with a school administrator, so that class disruption is kept to a minimum. Teachers will not take class time to discuss individual matters with visitors.

Public Conduct on School Property

The following policy shall govern the conduct of and apply to students, faculty, staff, visitors and all other persons having occasion to be or being on school owned or controlled property:

Whenever the conduct or action of any person on school property reasonably appears to constitute a violation of law or regulation, the appropriate law enforcement agency may be contacted. However, nothing in this section precludes additional school administrative actions against any offender.

No person lawfully or unlawfully upon school owned or school controlled property or at school functions shall:

- Engage in bullying or harassment as defined by this Code;

- Engage in, or urge injury to any person, or engage in acts which may reasonably cause injury to any person;
- Willfully cause, engage in or urge damage to or misuse of property;
- Willfully cause, engage in or urge the obstruction or disruption of the orderly conduct of classes, functions, meetings, ceremonies, or other authorized activities;
- Willfully cause, engage in, or urge the entry upon any portion of the school premises for any purpose other than its authorized uses, or willfully cause, engage in or urge the entry into any portion of the school premises constituting and designated as a restricted area;
- Fail to comply with reasonable direction of administrators or school officials acting in the performance of their duties;
- Willfully interfere with the lawful and authorized activities of others;
- Willfully enter upon, engage in or urge the entry upon or use of, school facilities including buildings, equipment and grounds without authority;
- Without authorization or permission, bring upon, engage in or urge the bringing upon, school property any instrument, weapon or similar object which may in its normal use inflict injury to person or property;
- Possess, sell, use, or urge the possession, sale, or use of any alcoholic beverage, marijuana and/or marijuana substance, illegal drug, or controlled substance on school property;
- Be under the influence of any alcoholic beverage, marijuana an/or marijuana substance, illegal drug, or controlled substance on school property;
- Smoke or use tobacco products;
- Commit any act prohibited by law; or
- Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program;
- Intimidate, harass or discriminate against any person on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation or gender (including gender identity and expression);
- Obstruct the free movement of any person in any place to which this Code applies;
- Loiter on or about school property;
- Gamble on school property or at school functions;
- Willfully incite others to commit any of the acts prohibited by this Code;
- Violate any federal or state statute, local ordinance or Board of Trustee policy while on school property or while at a school function.

Any person who engages in any conduct prohibited under any of this policy shall be subject to one or more of the following penalties:

- Reprimand, which may be noted in the official files, when kept, concerning such individual;
- Ejection of and preclusion of the person from school owned or controlled property;
- Suspension from campus for a period of time depending on the severity of the infraction;
- In the case of students, preclusion from extra-curricular activities as may be appropriate; and/or
- In the case of students, school staff, members of the administrative staff and members of the supporting staff, suspension or other disciplinary action provided by law.



APPENDIX A - Matrix of Consequences

This matrix indicates the interventions, consequences, or disciplinary actions that may apply to inappropriate behaviors and/or violations of the Code of Conduct. Each situation or violation is individualized.

In some cases, a behavior may warrant a more serious consequence - bypassing the progressive discipline model.

<p>Level 1 Behaviors</p> <p>Minor infractions that interfere with one's own learning and can be handled by teachers/staff.</p>
<p>Interventions, consequences or disciplinary action may include but are not limited to the following:</p>
<p>Positive Time-Out/Space and Time TAB Out & Written Reflection Problem-solving Conference Apology of Action Loss of Privilege Family Contact or Family Meeting Community Service Restorative Practices</p>
<p>Level 2 Behaviors</p> <p>Moderate infractions that interfere with one's own learning or the learning of others; or persistent Level 1 infractions. Administrative action may be necessary.</p>
<p>Interventions, consequences or disciplinary action may include but is not limited to the following:</p>
<p>Behavior Referral (DRF) Removal from Class Behavior Contract Referral to School Counselor Risk Assessment Referral to Student Support Team Functional Behavioral Assessment Behavior Support Plan Restorative Practices Loss of Privilege Family Contact or Family Meeting Community Service Saturday School Short-Term In-School Suspension (<10 days) Short-Term Out-of-School Suspension (<10 days)</p>

Level 3 Behaviors

Serious infractions that interfere with the learning of others, the learning climate of the school, or pose a threat to the health, safety, or well-being of self or others; or persistent Level 2 infractions.
Administrative action will be taken and may be immediate.

Interventions, consequences or disciplinary action may include but is not limited to the following:

- Referral to Counseling Services or Substance Abuse Program
- Risk Assessment
- Short-Term In-School Suspension (<10 days)
- Short-Term Out-of-School Suspension (<10 days)
- Long-Term Suspension (>10 days) following formal disciplinary hearing
- Expulsion

APPENDIX B - Levels of Behaviors/Code of Conduct Violations

Examples of behaviors and/or Code of Conduct violations that may lead to a consequence or disciplinary action include but are not limited to:

Consequences/ disciplinary actions for each Level are listed in Appendix A.	Level 1 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 2 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 3 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Possible Referral to Law Enforcement Agency
Academic Dishonesty				
Minor cheating such as copying	✓			
Cheating or Plagiarism	✓	✓		
Alcohol and/or Marijuana				
Possession		✓	✓	✓
Use		✓	✓	✓
Under the influence		✓	✓	✓
Distribution or sale		✓	✓	✓
Arson				
Intentionally setting or starting a fire		✓	✓	✓
Assault				
Attempt to assault a student or staff member		✓	✓	
Intentional assault without injury			✓	✓
Intentional assault with injury			✓	✓
Intentional assault with serious injury			✓	✓

Consequences/ disciplinary actions for each Level are listed in Appendix A.	Level 1 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 2 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 3 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Possible Referral to Law Enforcement Agency
Attendance During School Day				
Tardy to class after transition, loitering in hallway	✓	✓		
Skipping class	✓	✓	✓	
Bullying, Harassment, Discrimination, or Acts of Intimidation (including cyberbullying)				
Written, verbal, or physical bullying, harassment, discrimination or act of intimidation that adversely affects another student(s)		✓	✓	
Written, verbal, physical bullying, harassment, discrimination or act of intimidation that is ongoing, adversely affects another student(s), or interferes with their safety, well-being, learning, or ability to participate in educational programs or activities		✓	✓	
Written, verbal, physical bullying, harassment, discrimination or act of intimidation that results in		✓	✓	✓

Consequences/ disciplinary actions for each Level are listed in Appendix A.	Level 1 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 2 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 3 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Possible Referral to Law Enforcement Agency
physical or emotional harm				
Bus Violation				
Minor disruption (eating, drinking, standing, noisemaking)		✓		
Serious disruption that may affect safety (fighting, throwing objects, distracting the driver, refusal to follow directions, tampering, moving seats)		✓	✓	
Dishonesty				
Lying	✓	✓		
False accusation	✓	✓	✓	
False report to school staff	✓	✓	✓	
Disruption				
Minor disruption (i.e. talking out of turn, calling out, talking to peers at inappropriate times)	✓	✓		
Moderate disruption that interferes with the learning of others (i.e. bothering others,	✓	✓		

Consequences/ disciplinary actions for each Level are listed in Appendix A.	Level 1 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 2 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 3 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Possible Referral to Law Enforcement Agency
teasing, yelling, walking around room)				
Serious disruption that interferes with the learning of others and/or endangers or threatens to endanger others		✓	✓	
Defiance, Disrespect, or Insubordination				
Failure to follow directions	✓	✓		
Failure to respond to school staff questions or requests	✓	✓		
Defiance, disrespect, or insubordination	✓	✓	✓	
Defiance, disrespect, or insubordination that creates a potential safety risk		✓	✓	
Defiance, disrespect, or insubordination that directly leads to safety risk or harm		✓	✓	✓
Dress Code Violation				
Minor dress code violation	✓			

Consequences/ disciplinary actions for each Level are listed in Appendix A.	Level 1 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 2 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 3 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Possible Referral to Law Enforcement Agency
Dress code violation that interferes with the learning of others		✓		
Gambling				
Gambling without exchange of money		✓	✓	
Gambling with exchange of money		✓	✓	✓
Fighting				
Play fighting	✓	✓		
Play fighting that causes property damage or incidental contact with other students or staff	✓	✓		
Verbal altercation that disrupts the learning environment		✓	✓	
Fighting without injury		✓	✓	
Fighting with minor injury		✓	✓	
Fighting with serious injury or harm		✓	✓	✓
Illegal Drugs				
Possession			✓	✓

Consequences/ disciplinary actions for each Level are listed in Appendix A.	Level 1 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 2 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 3 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Possible Referral to Law Enforcement Agency
Use			✓	✓
Under the influence			✓	✓
Distribution or Sale			✓	✓
Physical Aggression				
Minor physical aggression	✓	✓		
Physical aggression that causes a disruption to the learning environment or endangers the safety of others (i.e. throwing objects, pushing through someone)		✓	✓	
Physical aggression that causes harm or injury		✓	✓	✓
Property Damage or Vandalism				
Minor or accidental property damage	✓	✓		
Intentional property damage or vandalism		✓	✓	
Serious intentional property damage or vandalism (value > \$100)		✓	✓	✓
Technology Use				

Consequences/ disciplinary actions for each Level are listed in Appendix A.	Level 1 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 2 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 3 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Possible Referral to Law Enforcement Agency
Personal electronics not turned into school lockbox	✓	✓		
Accessing a website or platform without permission	✓	✓		
Accessing an inappropriate website or platform	✓	✓	✓	✓
Disseminating inappropriate material through technology		✓	✓	✓
Theft				
Theft of property less than \$100 in value	✓	✓	✓	
Theft of property more than \$100 in value		✓	✓	✓
Threats				
Physical, written, or verbal threat		✓	✓	
Physical, written, or verbal threat of violence or harm		✓	✓	✓
Physical, written or verbal threat of violence or harm with a weapon			✓	✓
Tobacco or Vaping				

Consequences/ disciplinary actions for each Level are listed in Appendix A.	Level 1 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 2 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 3 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Possible Referral to Law Enforcement Agency
Possession		✓	✓	
Use		✓	✓	
Distribution or sale		✓	✓	✓
Trespassing				
On school property without permission		✓	✓	✓
On school property while suspended or expelled			✓	✓
Unauthorized sale or distribution of goods				
Items with little monetary value	✓	✓		
Items with significant monetary value		✓	✓	✓
Weapons				
Explosives (possession, sale, use, distribution, threat of detonation, detonation of any incendiary material or device including firecrackers, smoke bombs, flares, or any combustible substance)			✓	✓
Firearms (possession of a firearm as defined			✓	✓

Consequences/ disciplinary actions for each Level are listed in Appendix A.	Level 1 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 2 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Level 3 <i>Repeated infractions or severity of infractions may result in escalating levels of interventions and responses.</i>	Possible Referral to Law Enforcement Agency
in 18 USC 8921 of the Federal Code including handguns, rifles, shotguns, and bombs). (NY Education Law 3214(3)(d)				
Other guns (BB guns, pellet guns, paintball guns, water guns, tasers)			✓	✓
Other weapons or dangerous objects of no reasonable use to a student at school (any item that could cause bodily harm, including but not limited to knives, razor blades, pepper spray, mace, tear gas etc.)			✓	✓

DISTRIBUTION OF CODE OF CONDUCT

The Board of Trustees and School administration will endeavor to ensure that the school community is aware of this Code of Conduct through a variety of means including, but not limited to, providing copies of the Code to all students; providing copies of the Code to all parents; providing all current teachers and other staff members with a copy of the Code; and posting the complete Code on the School's website.



2024-2025 STUDENT CODE OF CONDUCT ACKNOWLEDGEMENT FORM

Please Read, Sign, And Return To School By Thursday, September 12, 2024.

Please complete one form per student.

I, _____,
Parent/Guardian (write in parent/guardian name above)

of _____, acknowledge that I have received the
(write in *one* student name above) Elmwood Village Charter Schools' Code of Conduct, and have reviewed it with
my child.

Signature of Parent/Guardian

Date

Signature of Student of Elmwood Village Charter School

Date