



**Department of  
Education**

Dennis M. Walcott  
Chancellor

# **A Review of the 2012 Discipline Code and Understanding Progressive Discipline**


Office of School and Youth Development  
Elayna Konstan, Chief Executive

# The Citywide Standards of Intervention and Discipline Measures

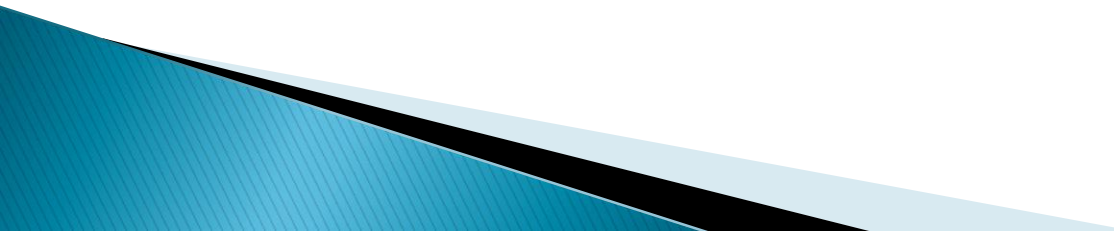
- ▶ Why do we need a Discipline Code?
- ▶ What purpose(s) does it serve?

# The Citywide Standards Of Intervention and Discipline Measures

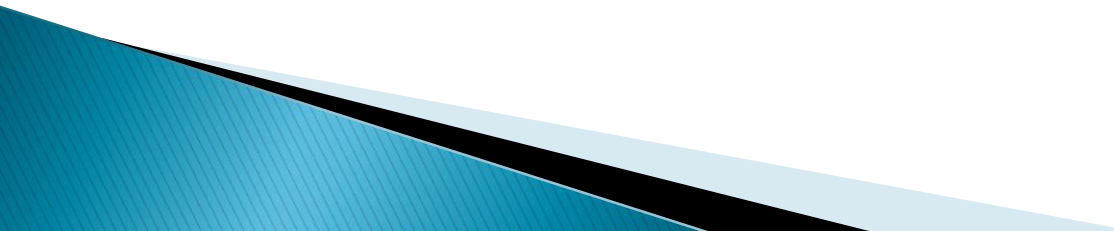
## ► Purpose:

- Provide clear behavioral expectations to which students are held accountable
  - Provide clear standards of behavior that ensure consistency and equitable treatment for all students
  - View behavioral incidents as an opportunity for student growth and learning supported by guidance interventions
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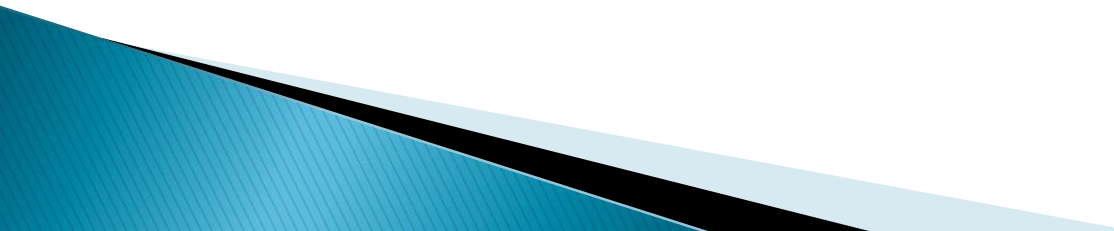
# The Citywide Standards Of Intervention and Discipline Measures

- ▶ Design of the Discipline Code:
    - Developmentally appropriate, K–5, 6–12
    - Five levels of infractions
    - Range of interventions and disciplinary consequences
    - Bill of Student Rights and Responsibilities
  - ▶ The Discipline Code is reviewed and updated annually.
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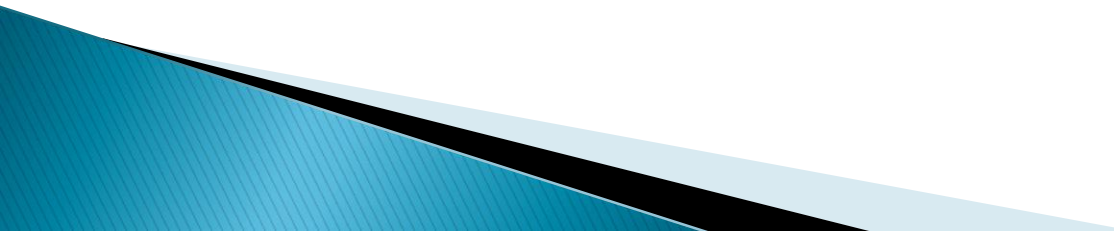
# 2012 Code Updates

- ▶ Changes in layout
  - ▶ Clarify Family Educational Rights and Privacy Act (FERPA) compliance
  - ▶ Changes to support the implementation of progressive discipline
    - Introduction
    - Range of disciplinary responses
  - ▶ Changes to specific infraction codes to provide clarifying language
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# 2012 Code Updates

- ▶ New format for Introduction
  - ▶ A Progressive Ladder of Support and Disciplinary Consequences included in the Introduction
  - ▶ Restorative Approaches a separate section in the Introduction
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# 2012 Code Updates

- ▶ Bill of Student Rights and Responsibilities section on the Rights of Students Age 18 and Over revised to comply with Federal Guidelines
  - ▶ Levels of Infractions Renamed to Highlight Progressive Discipline
    - Level 1: **Uncooperative/Noncompliant Behavior**
    - Level 2: **Disorderly Behavior**
    - Level 3: **Disruptive Behavior**
    - Level 4: **Aggressive or Injurious/Harmful Behavior**
    - Level 5: **Seriously Dangerous or Violent Behavior**
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# 2012 Code Updates

- ▶ **Changes to Support the Implementation of Progressive Discipline**
  - For all Level 1 infractions, except A06/B07 and A07/B08, eliminate the possibility of removal from class by a teacher (Option F)
  - For all Level 2 infractions, eliminate the possibility of a Principal's Suspension (Option G)
  - For all Level 3 infractions, for students in Grades K–3, eliminate the option of a Superintendent's Suspension (Options H & I)



# 2012 Code Updates

- ▶ Changes to Support the Implementation of Progressive Discipline
  - Infraction B20 (Leaving class or school premises without permission of supervising school personnel) has been moved from Level 3 to Level 2.
  - For A22/B21 (Defying lawful authority) and B22 (Entering or attempting to enter a school building without authority) eliminate the option of a Superintendent's Suspension

# 2012 Code Updates

- ▶ **Changes to Support the Implementation of Progressive Discipline**
  - For infractions A21 /B19, A32/B34, and A49/B51 – Engaging in a pattern of persistent behavior– include a reminder to exhaust the disciplinary responses and guidance interventions at the lower level

# 2012 Code Updates

- ▶ Changes to Provide Clarifying Language:
  - A04/B05: Bringing prohibited equipment **or items** to school without authorization (e.g., cell phone, beeper or other electronic communication/entertainment device)
  - A13/B15–Using profane, obscene, vulgar, **or** lewd ~~or abusive~~ language, gestures, or behavior.

Note–Highlighted text indicates the addition of new wording. Strikethrough indicates text that has been removed.

# 2012 Code Updates

## ► Changes to Provide Clarifying Language:

- A22/B21 – ~~Being insubordinate~~; Defying or disobeying the lawful authority **or directive** of school personnel or school safety agents **in a way that substantially disrupts the educational process.**
- A24/B24 – Shoving, pushing, or engaging in **a minor altercation or similar** physical **confrontational** behavior (e.g., ~~horseplay~~, pushing past another person), or throwing an object (e.g., chalk) or spitting at another person **(for more serious physically aggressive behavior, see A34/B37).**

# 2012 Code Updates

## ► Changes to Provide Clarifying Language:

- A25/B25–Bringing unauthorized ~~visitors~~ persons to school or allowing unauthorized visitors to enter school in violation of written school rules
- A29/B26–Engaging in gang–related behavior (e.g., wearing ~~or displaying~~ gang apparel and/or accessories, writing graffiti, making gestures or signs)

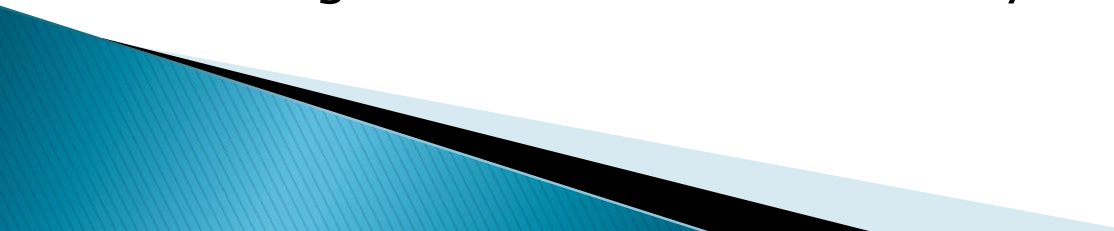
# 2012 Code Updates

- ▶ **Changes to Provide Clarifying Language:**
  - A39/B41–Possessing controlled substances or prescription medications without appropriate authorization, illegal drugs, **synthetic hallucinogens**, drug paraphernalia, and/or alcohol
  - A48/B50–Using controlled substances or prescription medication without appropriate authorization, or using illegal drugs, **synthetic hallucinogens**, and/or alcohol

# 2012 Code Updates

- ▶ **Changes to Provide Clarifying Language:**
  - B32–Add a footnote: **For particularly egregious situations (e.g., where numerous students are involved, where the behavior involves standardized tests, or where the behavior requires invalidation of a test) the Superintendent may impose a suspension of 30–90 school days with automatic review for early reinstatement after 30 or 60 school days**

# Progressive Discipline

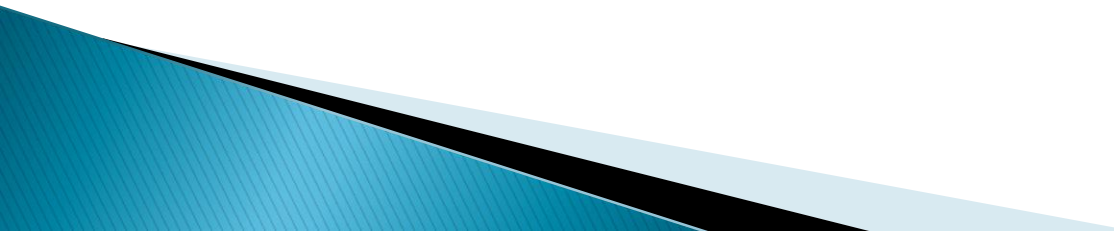
- ▶ Understanding discipline as a "teachable moment" is fundamental to a positive approach to discipline.
  - ▶ Progressive discipline uses incremental interventions to address inappropriate behavior with the ultimate goal of teaching pro-social behavior.
    - In some cases, a student's misconduct may require or be most appropriately addressed by a targeted or significant response along with guidance interventions.
    - In others, the use of primary consequences and/or the use of guidance interventions may be most suitable.
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# Progressive Discipline

- ▶ Progressive discipline seeks concurrent accountability and behavioral change.
- ▶ The goal is prevention of a recurrence of negative behavior by helping students learn from their mistakes.

# Progressive Discipline

- ▶ Essential to the implementation of progressive discipline is helping students who have engaged in unacceptable behavior to:
    - understand why the behavior is unacceptable and the harm it has caused
    - understand what they could have done differently in the same situation
    - take responsibility for their actions
    - be given the opportunity to learn pro-social strategies and skills to use in the future
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# Progressive Discipline


- ▶ In determining how to best address inappropriate conduct, it is necessary to evaluate the totality of the circumstances surrounding the conduct.
  - the student's age and maturity
  - the student's disciplinary record (including the nature of any prior misconduct, the number of prior instances of misconduct, and the disciplinary and intervention measures applied for each)
  - the nature, severity and scope of the behavior;
  - the circumstances/context in which the conduct occurred
  - the frequency and duration of the behavior;
  - the number of persons involved in the behavior;
  - the student's IEP, BIP (Behavioral Intervention Plan) and 504 Accommodation Plan, if applicable

# Applying the Discipline Code

## Scenario—


You are standing in the hallway of XYZ High School and you observe Maria trip on her shoelaces and bump into Andrea. Andrea turns and punches Maria. Maria and Andrea begin to fight. Maria sustains a bloody nose.

Which infraction best addresses this incident? What information would help you to decide?



# Applying the Discipline Code

Factors to consider when selecting a code:

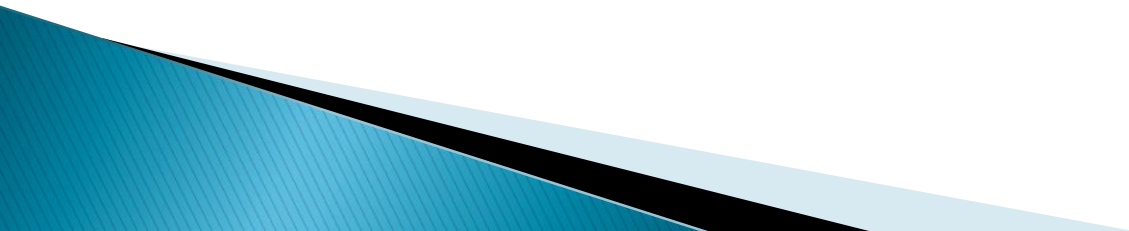
- There are several infractions that address physically aggressive behavior; infractions B24, B37 and B54. Given that there was a punch to the face, which is the most appropriate? Consider all of the circumstances and extent of injuries (if any).
  - Consider Andrea's prior behavioral record and the interventions that have been provided previously.
  - Which interventions would you use and why?
  - Are there other mitigating circumstances?
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# Applying the Discipline Code

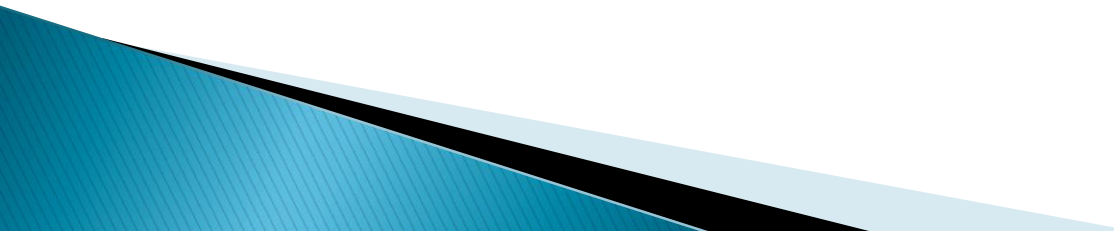
## Scenario—

Mrs. Jones, 5<sup>th</sup> grade teacher, reports that Billy used an ethnic slur referring to a classmate, James.

Which infraction best addresses this situation?



# Applying the Discipline Code

- ▶ Upon investigation, James shares that Billy has called him derogatory names about his ethnic heritage repeatedly over the last three weeks, although this is the first time in Mrs. Jones' class. Furthermore, James states that he dreads going to the classes that he has with Billy.
  - ▶ Which infraction best addresses this situation?
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# Applying the Discipline Code

- ▶ If this involved only the incident observed by Ms. Jones, it would be A23 (Using slurs based upon actual or perceived race, ethnicity, etc.).
  - ▶ However, given that this is part of on-going harassment through the use of ethnic slurs, A37 (Engaging in intimidating and bullying behavior, etc.) is more appropriate.
  - ▶ How would you address this misbehavior?
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