

DISCIPLINARY CONSEQUENCES FOR STUDENTS

The Niskayuna School District recognizes that proper student behavior is dependent upon defined expectations and training for proper behavior, early preventative actions, and, when necessary, remedial actions. School districts are authorized to impose penalties for violations of student disciplinary codes. These penalties should be reasonable, appropriate and progressive. In imposing such penalties, districts must follow relevant due process procedures. Any teacher, administrator, Board of Education members, parent or other person may report a violation of a student school disciplinary code to the Superintendent of Schools.

The range of disciplinary consequences which may be imposed for violations of the student disciplinary code includes the following:

1. verbal warning
2. special assignment
3. written warning and notification to parent
4. in-district probation
5. reprimand
6. detention
7. suspension from transportation
8. suspension from athletic participation
9. suspension from social or extracurricular activities
10. suspension of other privileges
11. exclusion from a particular class
12. in-school suspension
13. involuntary transfer
14. suspension
15. alternative assignments as determined by Superintendent of Schools, the student and the student's parent(s)

Teachers are authorized to issue warnings, make special assignments, make entries in a student's classroom records and to place students in detention (i.e., the first six items). The district should ensure that students serving detention are not allowed to leave school property without appropriate transportation home.

Building Principals and Assistant Principals may, in addition, suspend students from transportation, athletic participation or extracurricular activities or other privileges (i.e., the first ten items). In order to impose a curtailment of transportation or extracurricular activity privileges, the student and the person in parent relation to the student must be afforded the opportunity to appear informally before the person authorized to impose discipline to discuss the conduct being reviewed.

The Superintendent may exclude a student from a particular class due to excessive absenteeism provided the student is given the opportunity for a hearing and provided the student's program satisfies the state requirements for full time instruction in the event the student is of compulsory attendance age.

Students who are habitually truant, or irregular in attendance or insubordinate or disorderly during such attendance may be assigned by the Principal to special day schools or to set-apart rooms in the district's school buildings.

A student who is insubordinate or disorderly, or whose conduct endangers the safety, health, morals or welfare of others, or whose physical or mental condition endangers the safety, health or morals of himself or of other pupils, may be suspended.

The Board of Education authorizes Principals to suspend students for a period not to exceed five school days. In this case, the pupil and the person in parental relation to the student shall, upon request be given an opportunity for an informal conference with the Principal at which the person in parental relation shall be authorized to ask questions of complaining witnesses. Principals are authorized to use "in-school suspension" as an alternative to the use of suspension from school.

The Superintendent or Board may, after providing an opportunity for a fair hearing, suspend a student for more than five (5) days. The requirements for a fair hearing are defined under Section 3214 of the Education Law.

The Superintendent or the Board may, upon the recommendation of a Principal, transfer a pupil to an appropriate educational setting in another school following a fair hearing.

Students with a disability are afforded protection under IDEA regarding discipline for behavior related to their disability. Any question relating to the suspension or involuntary transfer of such students should be referred to the Committee on Special Education. The Building Principal may notify the Committee on Special Education (CSE) of discipline problems involving a student with a disability or disabilities. If a student with a disability or disabilities is suspended, the case shall be referred to the CSE. The CSE will determine an appropriate course of action if the conduct is deemed to be based upon the student's disability. This may include modification of program, counseling, disciplinary action or a change of placement, if appropriate. Short term suspensions of five (5) days or less and not exceeding a total of ten (10) days in a school year may occur prior to CSE review. The suspension procedures for students with disabilities are set forth more fully in 5313-R.

The Superintendent shall develop and annually review procedures which implement this policy

Cross-ref: 5312.2, Dangerous Weapons in Schools
5314, Corporal Punishment Complaints
Education Law, Section 3214-School for Delinquents

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