

Hastings-on-Hudson Public Schools



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Disciplinary Philosophy, Policies and Procedures – A Summary April 21, 2023

Background

I have been asked to clarify our disciplinary philosophy, policies and procedures with families and staff. Providing clarification as to how we address student behavior is important, especially considering recent events in the district, and with the hope of a positive, respectful and dignity-filled final two months of the school year.

The governing document for our disciplinary philosophy, policies and procedures is the [District Code of Conduct](#), which is posted on the district website. The *District Code of Conduct* is reviewed annually by the Board of Education (BOE) in a two-meeting process: the first meeting provides for public comment; the second meeting is when the *District Code of Conduct* is formally adopted as District Policy.

Given the *District Code of Conduct* is our governing policy document for managing student and staff behavior, it must be presented with the exact, BOE approved wording. I have excerpted specific sections and directed readers back to the source with relevant page numbers. All direct quotes (excerpts) are signified in *italics*.

At the close of this document, I provide links to the school-specific disciplinary regulations and guidelines for Hillside, Farragut Middle School and Hastings High School. The school-specific regulations and guidelines operate within the policy framework established by the *District Code of Conduct*.

Hastings Rationale for Discipline

The “Introduction” (Section I, p. 3) of the *District Code of Conduct* provides a rationale for discipline in the Hastings schools:

The Board of Education (‘Board’) is committed to providing a safe and orderly school environment where students may receive and District personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other District personnel, parents/guardians and other visitors is essential to achieving this goal.

Hastings Public Schools recognizes the uniqueness and importance of education in assisting children in the transition from childhood to adulthood. Within the schools' structured and nurturing environment, each student is offered opportunities to develop and practice personal responsibility, accountability, initiative, citizenship, character, honesty, integrity, acceptance and respect for others.

The schools are dedicated to balancing and enhancing each individual's social, personal, and intellectual growth and to the development of a positive self-concept. The home, school and community will work cooperatively to develop the talents, abilities, and attitudes of each child. "No student shall be subjected to harassment by District staff or students on school property or at school functions. Nor shall any student be subjected to discrimination by District staff or students on school property or at school functions based upon their actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color (a person's pigmentation, complexion, or skin shade or tone), weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex."

Unless otherwise indicated, this Code applies to all students, school personnel, parents/guardians and other visitors when on school property or attending a school activity or function, which includes, but is not limited to, remote instruction/remote learning (p. 3).

The Dignity for All Students Act

The *District Code of Conduct* emphasizes the core commitment to the Dignity for All Students Act (DASA) as a guiding framework for student behavior:

The Dignity for All Students Act (Dignity Act) ensures that no student is subject to discrimination or harassment, based on a person's actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color (a person's pigmentation, complexion, or skin shade or tone), weight, national origin, ethnic group, religion, religious practice disability, sexual orientation, gender (including gender identity and expression) identity or sex by school employees or students on school property, on a school bus, at a school function or that is initiated off school grounds and continued at school.

Harassment may include, among other things, the use, both on and off school property, of information technology, including, but not limited to email, instant messaging, blogs, chat rooms, pages, cell phone, gaming systems and social media websites, to deliberately harass or threaten others. This type of harassment is generally referred to as "cyber-bullying."

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

1. *Expect a school environment that is conducive to learning*
2. *Be treated respectfully by those in the school community*
3. *Take part in all District activities on an equal basis regardless of race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color (a person's pigmentation, complexion, or skin shade or tone), creed, national origin, religion, gender (including gender identity and expression), sexual orientation or disability (consistent with the District's Anti-Harassment Policy) 5*
4. *Be provided with school rules, and when necessary, receive an explanation of those rules from school personnel*
5. *Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty, in connection with the imposition of that penalty.*

There are a number of requirements for schools and districts under DASA. This [information guide](#) provides a clear, concise description of the key components of DASA, recent changes, and incident reporting procedures.

The administration made [a comprehensive presentation](#) on DASA to the Board of Education in November 2021. We recommend it as a resource for understanding the requirements and implementation of DASA.

As parents, you may report incidents of suspected harassment or bullying to the principal or assistant principal of the building. The DASA complaint form is easily accessible through our Hastings [district webpage](#) or may also be accessed through a quick link on each school webpage.

Hastings Partners for Conduct

The *District Code of Conduct* lists partners vital in the shared work of fostering healthy and dignified behavior:

1. *Parents/Guardians*
2. *Teachers/Support Staff*
3. *School Counselors*
4. *Principals/Assistant Principals*
5. *The Dignity of Act Coordinator(s)*
6. *Superintendent*
7. *Board of Education*

Specific roles and responsibilities are listed for each of the partners on pages 7-12. We are partners in this essential work and must support each other at each step.

Reporting Violations

The *District Code of Conduct* stresses broad responsibility across students, staff, administrators, families and visitors for promptly reporting violations of the Code of Conduct. The reporting responsibilities include, as excerpted below from Section VIII, p. 17:

- *All students are expected to promptly report violations of the Code of Conduct to a teacher, school counselor, the building principal or their designee.*
- *After witnessing, or receiving a report of, a violation of the Code of Conduct or of discrimination, harassment and/or bullying against any student, all **District staff who are authorized to impose disciplinary sanctions are expected to investigate the situation and impose appropriate disciplinary sanction as necessary in a prompt, fair and lawful manner.***
- *After witnessing, or receiving a report of, a violation of the Code of Conduct or of discrimination, harassment and/or bullying against any student, **District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct and/or incidents of discrimination, harassment and/or bullying against any student to their supervisor, who shall in turn investigate the situation and impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to investigate the situation and impose an appropriate sanction.***
- ***Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parents/guardians of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution. The building principal or their designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or their designee learns of the violation.***
- *All **parents and/or visitors** who are witnesses to, or receive a report of, a violation of the Code of Conduct or discrimination, harassment and/or bullying by a student, by a District staff member and/or by any other visitor on school property or at a school function, are expected to promptly report the matter to District staff.*
- ***The Hastings Union Free School District will promptly and equitably investigate all complaints, formal or informal, verbal or written.***
- ***If, after appropriate investigation, the Hastings Union Free School District finds that a student, a District staff member or a third party has violated the Code of Conduct, prompt corrective action and possibly disciplinary action will be taken in accordance with this Code of Conduct, applicable collective bargaining agreements, District policy and state law.***

Hastings Approach to Discipline

The *District Code of Conduct* frames our approach to discipline at the start of “Section IX. Disciplinary Consequences, 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 consequences will consider the following:

1. *The nature of the offense and the circumstances which led to the offense.*
2. *The student's prior disciplinary record.*
3. *The effectiveness of other forms of discipline.*
4. *Information from /guardians, teachers and/or others, as appropriate.*
5. *Other extenuating circumstances. As a general rule, discipline will be progressive and age appropriate.*

This means that a student's first violation will usually merit a lighter consequence than subsequent violations. "If the student in question has been classified as disabled or if the school District has reason to believe such classification may be warranted, the student shall be referred to the Committee on Special Education to ascertain whether the misconduct is related to a disability, in accordance with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability. Discipline, if warranted, shall be administered consistent with said provisions of this Code and with applicable law." A student identified as having a disability shall be disciplined for behavior related to their disability only to the extent permitted by law, and in accordance with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability" (p. 18).

Hastings Specific Discipline Steps

The *District Code of Conduct* spells out specific discipline steps:

1. *Consequences (pp. 18-19)*
2. *Procedures (pp. 19-23)*
3. *Minimum Periods of Suspension (pp. 23-24)*
4. *Referrals (pp. 24-25)*
5. *Remedial Measures (p. 25)*

There is extensive information in these sections, which should be reviewed carefully to understand the specifics of discipline in the Hastings schools. In short, discipline is progressive in terms of consequences and procedures, and is responsive to the particular incidents and individuals; there are a limited set of actions that lead to a mandated minimal extent of discipline (i.e., weapons, violent acts without weapons, repeated substantial disruptions of education process); referrals for counseling are used when necessary; and, a variety of remedial and educational interventions are implemented.

Hastings Discipline of Students with Disabilities

Section IX of the *District Code of Conduct* addresses how discipline for students with disabilities must be handled:

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations (p. 25).

Extensive guidance is provided on procedural approaches and safeguards (pp. 25-30). It is essential that special education administrators are consulted when making disciplinary decisions for students with disabilities, and there is review of the most appropriate terminology to use in certain situations.

School-Specific Disciplinary Documents

We provide below links to the school-specific disciplinary regulations and guidelines for Hillside, Farragut Middle School and Hastings High School. The school-specific regulations and guidelines operate within the policy framework and approaches established by the *District Code of Conduct*. Questions about discipline within any school should be directed to the relevant building administrator and the materials at the following links should be consulted.

- [Hillside Handbook 2022-2023](#) and [Hillside Code of Conduct](#)
- [Farragut Middle School Handbook 2022-2023](#) and [Farragut Middle School Code of Conduct](#)
- [Hastings High School Handbook 2022-23](#)

Conclusion

It is imperative that any summary of the district's disciplinary philosophy, policies and procedures adhere to the wording of the *District Code of Conduct*. Otherwise, the summary material could create added confusion. While this summary substantially abbreviates the 36 page source document, it still is a detailed document requiring a close read for full understanding. We must be patient with the inherent complexity of disciplinary policies and procedures. Nevertheless, we hope this summary will help guide families and staff to the sections of the *District Code of Conduct* pertinent to their particular questions and concerns. Families and staff should also avail themselves of the school-specific materials for their particular building.

We will continue to consider ways to clarify and provide a wide understanding of the district's disciplinary philosophy, policies and procedures. Feedback is welcomed; ideas and suggestions should be submitted to your specific building principal or the superintendent.