

ARTICLE XVIII
Discipline Policy

A. The current Board of Education policy on pupil behavior, Student Code of Conduct and Procedure for Supervision of Pupils are adopted herein with the following understanding:

Under the Policy on Pupil Behavior as it relates to marked deviation from good behavior, the teacher involved shall be consulted by the principal before the principal takes action thereunder, and the principal shall inform the teacher of the action taken. If the teacher believes such action to be inappropriate, the matter may be referred through the first three steps of the grievance procedure.

B. Assault and Menace

Sole authority within a school to suspend pupils rests with the principal. Upon the menace or assault (as defined in the New York State Penal Law) of a teacher by a pupil, the teacher shall submit a sworn affidavit outlining the facts and circumstances to the Principal and the Federation. Upon receipt of the affidavit, the principal shall immediately suspend the pupil and request a formal suspension. No such pupil shall be returned to the same classroom against the desire of the teacher if the charges which led to the suspension are upheld in the formal hearing.

C. The following is a statement of long established policy in the Buffalo Public Schools regarding the responsibility of the teacher and the administrator in dealing with the child who misbehaves. It is issued at this time so that members of the school staff, parents, and others may understand clearly the procedures which are followed in upholding the excellent record of discipline at the schools.

(1) Each teacher is required to maintain appropriate pupil behavior in the classroom, so that the objectives of training for self-discipline and individual responsibility may be realized, and a favorable climate for learning may exist. To this end, the teacher knows the value of careful planning, good organization and thorough preparation for teaching the lesson.

(2) When a pupil exhibits any marked deviation from good behavior, the teacher uses the techniques most appropriate to the occasion to correct and instruct the pupil in the proper mode of conduct. Recognizing that deviate behavior is sometimes a symptom of maladjustment, the teacher seeks the cause of the difficulty. When, in spite of the teacher's best efforts at correction, a pupil continues to misbehave, the teacher refers the case to the principal for advice and assistance.

(3) The principal makes every reasonable effort to help the pupil adjust properly, using to good advantage the principal's broad knowledge and experience in child growth and development. Depending on the nature of the case, the principal may discipline the pupil directly in relation to the offense, may call in the parents for a conference, may refer the case for the attention of a psychologist or school social worker, may suspend the pupil, or may use a combination of these procedures - as well as other techniques - in accordance with the principal's best judgment.

(4) Regardless of the cause of any pupil difficulty, no teacher or class is every required to tolerate any act of gross misconduct, including flagrant discourtesy, abusive and vile language, acts of violence, and deliberate insubordination. The teacher has the right to remove any pupil whose behavior repeatedly disrupts the learning atmosphere of the class. The pupil shall not be readmitted until the teacher has conferred with the principal or assistant principal involved. The pupil shall not be returned to the same class until the teacher and administrator have discussed the basis on which improvement can be expected. If it is mutually agreed that the pupil's behavior cannot be expected to improve another placement will be provided.

D. At the beginning of the school year, and whenever revised, the Board shall provide to each Federation Building Delegate Chairperson a copy of the Procedures for Pupil Suspensions.