

## **PROPOSED DRAFT: Code of Conduct and District-wide Safety Plan**

The New York City Department of Education (DOE) is committed to ensuring that our schools are safe, secure, and orderly environments in which students can meet high academic standards, educators can teach toward those goals, and parents can be assured that their children are learning in a safe and positive school setting. A safe and supportive school depends upon the efforts of all members of the school community to treat one another with mutual respect.

State Law requires that the DOE develop a District-wide Safety Plan that addresses emergency management and crisis intervention, and a Code of Conduct that governs the conduct of students. In addition, each school is required to develop a building level safety plan, which establishes building safety procedures including visitor control, student evacuation and other school-specific emergency procedures.

The Code of Conduct and District-wide Safety Plan reflects the input and recommendations of the District-wide Safety Team, the composition of which is described below, and multiple stakeholders on the Mayor's Leadership Team on School Climate and Discipline, including student, teacher, administrator, parent and advocacy organizations, and security personnel.

The following highlights key components of the DOE's Code of Conduct and District-wide Safety Plan. Additional information is found in the Chancellor's Regulations and other policy documents noted at the end of this document.

### A. District-wide School Safety Plan:

This Plan incorporates the DOE's policies and procedures for maintaining a safe and orderly learning environment. The Plan includes policies and procedures for: responding to acts of violence or other criminal activities; contacting and notifying parents; and contacting and notifying law enforcement officials. The Plan also addresses: strategies for detecting potentially violent behavior; intervention and prevention strategies; strategies to improve communications among students and between students and school staff; the role and responsibilities of school safety personnel; training of school safety personnel; school building security and security devices; emergency response protocols; safety training for staff and students, including training on the emergency response protocols; and drills and other exercises to test these protocols and other components of the Plan.

The DOE employs a Chief Emergency Officer, and a Deputy to serve in the Chief Emergency Officer's absence. The Chief Emergency Officer is responsible for coordinating: communication between staff and law enforcement and other first responders; annual review and update of the District-wide Safety Plan; completion of school safety plans, including emergency response plans, that are aligned and consistent with the District-wide Safety Plan; building level security and technology; safety, security and emergency training for staff and students; and emergency response drills.

The District-wide Safety Plan is reviewed annually by the Chief Emergency Officer together with the District-wide Safety Team.

1. District-wide Safety Team:

The District-wide Team includes representatives from various agencies and divisions of the DOE, including:

- Panel on Education Policy
- United Federation of Teachers
- Council of Supervisors and Administrators
- DOE's Office of Family and Community Engagement
- Office of Emergency Management
- NYPD - School Safety Division
- FDNY
- DOE's Office of Safety and Youth Development
- DOE's Division of School Facilities
- Office of School Health

2. General Response Protocols (GRP):

The following are the emergency response protocols that schools must follow for conducting lockdowns, evacuations and shelter in place. Each protocol has specific staff and student actions that are unique to each response. These are the actions schools take until first responders arrive. For all three protocols, 911 must be called. If the principal/designee did not initiate the call, they must be advised immediately that the call was placed, in accordance with Chancellor's Regulation A -412, which sets forth the policies and procedures regarding contacting the New York City Police Department (NYPD) and 911 (see Key Documents below).

The NYC Department of Education and the NYPD School Safety Division Counterterrorism Unit created these protocols to allow schools to immediately and safely respond to various types of emergencies that may occur both inside schools or within the surrounding community. GRP prepares schools for emergency situations such as fire, intruders inside the school, active shooters within the school or dangerous conditions outside the school building. These protocols outline the immediate response school staff and students will take until first responders arrive.

Lockdown (Soft/Hard)

Soft Lockdown implies that there is no identified imminent danger to the sweep teams. Administrative teams, Building Response Teams, and NYPD School Safety Agents (SSA) will mobilize to the designated command post for further direction.

Hard Lockdown implies that imminent danger is known and NO ONE will engage in any building sweep activity.

The following will be announced: "Attention: We are now in a Soft/Hard Lockdown. Take proper action." (Repeated twice over the PA system.)

All individuals, including SSA, will take appropriate lockdown action and await the arrival of first responders.

Students are trained to:

- Move out of sight and maintain silence.

Teachers are trained to:

- Check the hallway outside of their classrooms for students, lock classroom doors, and turn the lights off.
- Move away from sight and maintain silence.
- Wait for first responders to open door, or until hearing the "All Clear" message: "The Lockdown has been lifted," followed by specific directions.
- Take attendance and account for missing students by contacting the main office.

### Evacuation

The fire alarm system is the initial alert for staff and students to initiate an evacuation. However, there may be times when the PA system and specific directions will serve as the alert initiating an evacuation. Announcements will begin with "Attention," followed by specific directions. (Repeated twice over the PA system.)

Students are trained to:

- Leave belongings behind and form a single file line. In cold weather, students should be reminded to take their coats when leaving the classroom. Students in physical education attire WILL NOT return to the locker room. Students without proper outdoor attire will be secured in a warm location as immediately as possible.

Teachers are trained to:

- Grab evacuation folder (with attendance sheet and Assembly Cards).
- Lead students to evacuation location as identified on Fire Drill Posters. ALWAYS LISTEN FOR ADDITIONAL DIRECTIONS.
- Take attendance and account for students.
- Report injuries, problems, or missing students to school staff and first responders using Assembly Cards.

### Shelter-In

The following will be announced: "Attention: This is a Shelter-In. Secure all exit doors." (Repeated twice over the PA system.)

Students are trained to:

- Remain inside of the building.
- Conduct business as usual.
- Respond to specific staff directions.

Teachers are trained to:

- Increase situational awareness.
- Conduct business as usual.
- The Shelter-In directive will remain in effect until hearing the "All Clear" message: "The

Shelter-In has been lifted,” followed by specific directions.

Building Response Team members, floor wardens, and Shelter-In staff will secure all exits and report to specific post assignments. These staff and their specific responsibilities are outlined in each Building Safety Plan.

### 3. Response to Threats and Criminal Acts:

School officials must be prepared to respond to threats or acts of criminal behavior, by students, school personnel and visitors, from physical assaults to bomb threats. The procedures for notifying law enforcement officials of school-related incidents, crimes committed by students or school employees, or medical emergencies are contained in Chancellor’s Regulation A-412 and other policies (see Key Documents below). As outlined above, the General Response Protocols (GRP) will be used to respond to all threats and acts of violence, along with an immediate response by district staff and 911 first responders. Upon arrival, all district and emergency response efforts will be coordinated with school officials and SSA to provide incident specific support.

School officials must also be prepared to respond to threats by students against themselves. The procedures for establishing a school Crisis Team and for handling suicide attempts, suicidal behavior and suicidal ideation are contained in Chancellor’s Regulation A-755 and policies (see Key Documents below).

When a student engages in behavior that poses a substantial risk of injury to the student or others, school officials must make every effort to safely de-escalate the behavior by using strategies and interventions for addressing behavioral crises and utilizing the in-school and community resources identified in the school’s Crisis De-escalation Plan. Additionally, the parent must be given an opportunity to speak with the student if safety considerations permit. If the situation cannot be safely addressed, the principal/designee must call 911 as set forth in Chancellor’s Regulation A-411.

### 4. School Safety Personnel:

In September of 1998, the DOE, the Chancellor, and the City of New York entered into an agreement to implement a joint program between the DOE and the NYPD, under which school security functions including the selection, deployment, training, evaluation and management of school security personnel would be the responsibility of NYPD. This agreement was subsequently continued and then modified on June 19, 2019.

The revised MOU continues the framework for providing security in DOE schools and addresses the role of school administrators, SSA and NYPD in maintaining a safe and secure school environment; emphasizes the school’s primary role in addressing student misconduct; defines the circumstances for when school staff should contact SSA to address student misconduct; provides for training of SSA and NYPD officers, including in de-escalation; includes procedures

for when and how NYPD can question students on school property; includes expectations regarding when an arrest or summons can be issued with the least restraint necessary; and provides for use of diversionary or alternatives to arrest or the issuing of a summons.

The revised MOU is included in the Key Documents below.

#### 5. Training and Drills:

All principals are required to complete mandatory Emergency Readiness training, which is valid for two years. Sessions are offered during July and August at various locations throughout the five boroughs and during the school year for new principals who begin their positions after September 1.

All DOE staff must receive annual training on the GRP, as well as the early detection of potentially violent behavior. An Annual Opening Day Training Deck is provided to all schools to facilitate this training before September 15 and as needed throughout the school year for new hires. DOE Staff not assigned to school buildings must complete an online training module prior to September 15 or within 30 days of being hired.

All students must receive training on emergency response protocols and available school resources at the start of each school year. Lessons reviewing the GRP must be conducted with all students at the beginning of each school year. Training materials are made available to schools for this purpose including PowerPoints, videos, and lesson plans.

Information addressing school emergency procedures, including the GRP, must be shared with families at the start of each school year as well. An introductory letter and a summary of emergency procedures are provided to schools to be distributed to families.

All schools are required to conduct the following drills that test the components of their emergency response plan. These drills must include all the limited mobility students and staff who must be moved to FDNY-approved holding rooms, fire rescue areas, or areas of rescue assistance. Principals must hold a minimum of 12 emergency drills each school year, eight of which must be held by December 31. The eight drills must include evacuation and lockdown drills. At least four of the 12 drills must be lockdown drills, one of which must be conducted by October 31, and another must be conducted between February 1 - March 14. The final two can be conducted at the school's discretion. Drills shall be conducted under varying circumstances at varying hours, including lunch periods and at unannounced times to simulate actual emergency conditions.

In collaboration with NYC first responders (NYPD, FDNY, and OEM), the DOE observes various drills conducted in different school buildings in each borough to assess their response to emergencies requiring an evacuation, shelter-in or lockdown. The team conducts a debrief with school leaders, as well as a multi-agency debrief to assess effectiveness and identify any areas where corrective action may be required.

#### 6. Parent Notification:

The threat to commit or the actual commission of an act of violence at a school affects an entire

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school community. In the event of threats or acts of violence, school officials must be prepared to contact the appropriate law enforcement agencies (as set forth above) and to notify, without delay, the school community, especially the parents of children enrolled at the school. The DOE's policies and procedures for notifying parents are described in Chancellor's Regulations and policies (see Key Documents below). Pursuant to Chancellor's Regulation A-415 parents, staff, and elected officials may voluntarily subscribe to receive emergency notifications through electronic text messages, phone calls, and/or electronic mail through NotifyNYC. In addition, school leaders may employ the use of school specific notification systems to alert parents and the school community of specific emergencies occurring at the school. Schools should consult with their superintendent, field counsel and the Press Office in crafting these notifications.

#### 7. Building-level School Safety Plan:

Pursuant to Chancellor's Regulation A-414, (see Key Documents below) every school must establish a School Safety Committee for developing a building-level school safety plan. Each committee must include the following individuals: UFT Chapter Leader; Custodial Engineer/designee; In-house School Safety Agent Level III/designee; local law enforcement officials; Parent Association President/designee; Dietician/designee of food services for the site; community members; local fire officials, local ambulance or other emergency response agencies; representative of the student body (when appropriate); and any other persons deemed appropriate by the principal(s). As set forth in each school safety plan, every school is required to establish a Chain of Command and multiple teams, including, a Building Response Team and a Crisis Team, and to designate administrative staff, who coordinate the school's response in emergency situations.

The plan also describes, among other things, the school's building entry and visitor control procedures; security assignments and schedules; intruder procedures; emergency communications systems, including the names and telephone numbers of appropriate law enforcement personnel; missing student protocol; procedures for responding to door alarms; and evacuation procedures for all students, including those with limited mobility. Each plan describes the Building Response Team's roles and training to address all emergency response protocols for students and staff. Each building level plan establishes the protocols for responding to emergency situations, such as hazmat spills, intruders, bomb threats, hostage-taking or shooting, including whether to evacuate, shelter-in, or lockdown. Building level plans must be consistent with a safety plan template developed by the Office of Safety and Youth Development (OSYD) and must be updated annually. Building level safety information that can be shared with staff and families is available, upon request, from each principal in the staff or parent version of the school safety plan. A template of the parent's guide is included in the Key Documents section below. Pursuant to state education law, building level emergency response plans must be confidential and must not be disclosed.

#### B. Code of Conduct

The Code of Conduct incorporates the DOE's policies and procedures governing student conduct including: the Discipline Code, which establishes expected standards of behavior and a range of interventions, supports and disciplinary responses for engaging in misconduct; provisions for

addressing and responding to discrimination, harassment, intimidation and/or bullying; policies and procedures for effectuating removals and suspensions; policies and procedures for notification of parents; requirements for reporting; requirements for notification of law enforcement; requirements for training of staff; and the Bill of Student Rights and Responsibilities, which focuses on positive behavior and building a safe and supportive school climate.

A child under the age of 18 who does not attend school, behaves in a way that is dangerous or out of control, or often disobeys parents, guardians or other authorities, may be found to be a Person in Need of Supervision (PINS). Parents are required to receive diversion services through the Administration for Children's Services (ACS) Family Assessment Program (F.A.P.), before they file for a PINS Petition. The F.A.P. website includes information about PINS. (<https://www1.nyc.gov/site/acs/justice/family-assessment-program.page>). Parents can voluntarily go into any ACS Field Office and request preventive services. When truancy and/or school misbehavior is alleged in a PINS petition, ACS will review the steps taken by the school to improve the youth's attendance/school behavior and attempt to engage the school in further diversion efforts. ACS will contact the school to resolve the truancy or school behavioral problems in order to obviate the need to file a petition, or, at minimum, remediate the education-related allegations in the proposed petitions. DOE staff members could also be asked to provide documentation on interventions and the reasons why the educational issues cannot be resolved absent the filing of a PINS petition. The Family Court Judge could request that school staff appear in court when a PINS petition is filed and the court believes that the assistance of school staff may help to resolve education related matters.

#### 1. Discipline Code:

The Discipline Code establishes a framework for responding to student misconduct. It provides that every reasonable effort must be made to correct student behavior through counseling and other school-based interventions such as restorative practices. It further provides that appropriate disciplinary responses should emphasize prevention and effective intervention, foster resiliency, prevent disruption to students' education and promote a positive school culture. It includes a range of progressive age-appropriate interventions and supports, and disciplinary responses that can be used to respond to student misconduct.

#### 2. Intervention Strategies:

Each school is expected to promote a positive school culture and climate that provides students with a supportive environment in which to grow both socially and academically. Schools are expected to take a proactive role in nurturing students' pro-social behavior by providing them with a range of positive behavioral supports as well as meaningful opportunities for social-emotional learning.

School staff members are responsible for addressing inappropriate student behaviors that disrupt learning. Administrators, teachers, counselors and other school staff are expected to engage all

students in intervention and prevention strategies that address a student's behavioral issues and discuss these strategies with the student and parent(s).

Intervention strategies are outlined in the Discipline Code. Intervention and prevention approaches may include guidance conference(s); parent outreach; conflict resolution; short-term behavioral progress reports; development of individual behavior contracts; intervention by counseling staff; referral to pupil personnel team; restorative practices; collaborative problem solving; individual/group counseling; individualized support plan; referral to counseling services; mentoring; social-emotional learning; and referral to a community based organization.

Through the use of intervention and prevention strategies that engage students and give them a sense of purpose, school staff members facilitate students' academic and social-emotional growth and assist them in following school rules and policies.

In the classroom, teachers use a variety of academic and behavioral techniques and approaches to achieve an optimal learning environment. Interdisciplinary teams that include support staff such as guidance counselors are part of every school. These teams meet on a regular basis to devise and implement strategies to address specific issues encountered by "at-risk" students.

Where appropriate, progressive age-appropriate disciplinary responses must be effectuated in accordance with the procedures set forth in Chancellor's Regulation A-443 and the Discipline Code. (see Key Documents below)

### 3. Discrimination, Harassment, Intimidation and Bullying:

It is the policy of the DOE to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation and/or bullying committed by students against other students and discrimination by students against other students on account of actual or perceived race, color, creed, ethnicity, national origin, citizenship/immigration status, religion, gender, gender identity, gender expression, sexual orientation, disability or weight. The DOE's policy is set forth in Chancellor's Regulation A-832 and the Discipline Code. (see Key Documents below) These documents establish procedures for preventing, reporting, investigating and responding to such behavior.

All students and staff must be provided with training on the requirements of Chancellor's Regulation A- 832. OSYD provides multiple resources, including lessons and curricula, and a detailed implementation guide, to help schools provide this information to students. In addition, it develops and makes available a training deck and supplementary resources, which school leaders may use to fulfill the requirement to train all employees, including non-instructional staff.

### 4. Parent Engagement and Notification:

Students, parents, and school personnel all have a role in making schools safe and must cooperate with one another to achieve this goal. School staff should keep parents informed of their child's behavior and enlist parents as partners in addressing areas of concern.

To ensure that parents are able to become active and involved partners in promoting a safe and supportive school environment, they should become familiar with the Discipline Code.

Schools are encouraged to provide workshops for parents on understanding the Discipline Code and how best to work with the school to support their child's social-emotional growth. OSYD develops and makes available workshop training decks designed to assist administrators and parent coordinators in presenting information on the Discipline Code to parents.

Educators are responsible for informing parents about their child's behavior and for nurturing the skills students need to succeed in school and in society. Parents are encouraged to discuss with their child's teacher and other school staff issues that may affect student behavior and strategies that might be effective in working with the student.

Parents who want to discuss supports and interventions in response to student behavior should contact their child's school, including the parent coordinator, or, if necessary, the Office of Family Advocacy and Community Engagement.

In the event that a student engages in inappropriate behavior that violates the Discipline Code, the principal or principal's designee must report the behavior to the student's parent.

#### 5. Training:

Ensuring that every child learns in safe, supportive, and inclusive schools is the DOE's top priority. To do this, the DOE uses restorative approaches that address the real causes of conflicts as well as reinforcing positive behaviors through teachable moments. The DOE gives teachers the resources to support students' social-emotional skills and well-being, and, as a result, reduces reliance on suspensions or punitive discipline.

The manner in which students conduct themselves in school is a major factor in establishing and maintaining a safe and respectful school community. To promote positive student behavior, all members of the school community - students, staff, and parents - must know and understand the standards of behavior which all students are expected to live up to, the supports and interventions that will be used to address misconduct, and the disciplinary responses if behavioral standards are not met.

Schools must set aside time to review the Discipline Code, the Student Bill of Student Rights and Responsibilities, and the DOE's Internet Acceptable Use and Safety Policy with students. This review should be age appropriate so that all students know and understand the behavior expected of them when they are in school, including when they are accessing and using the DOE's internet system.

The most effective way to ensure that students understand and support the Discipline Code is through age appropriate classroom instruction. All students must be given at least one lesson on the Discipline Code. The DOE makes available standards-based age appropriate lesson plans that include interactive exercises, suggested projects and opportunities for collaborative learning experiences among students and a student workshop training deck.

Schools must review the Discipline Code with all staff members and conduct a workshop to discuss the purpose of the code no later than October 12, 2019. A model professional development

workshop training deck, which includes interactive exercises, is available for schools to use.

The following Key Documents are part of the DOE's Code of Conduct and District-wide School Safety Plan:

[Chancellor's Regulation A-411 Behavioral Crisis De-Escalation/Intervention and Contacting 911](#)

[Chancellor's Regulation A-412 Security in the Schools](#)

[Chancellor's Regulation A-413 Cell Phones and Other Electronic Devices in Schools](#)

[Chancellor's Regulation A-414 Safety Plans](#)

[Chancellor's Regulation A-415 Department of Education Emergency Notification System](#)

[Chancellor's Regulation A-418 Sex Offender Notification](#)

[Chancellor's Regulation A-420 Corporal Punishment](#)

[Chancellor's Regulation A-421 Verbal Abuse](#)

[Chancellor's Regulation A-432 Search and Seizure](#)

[Chancellor's Regulation A-443 Student Discipline Procedures](#)

[Chancellor's Regulation A-449 Safety Transfers](#)

[Chancellor's Regulation A-450 Involuntary Transfer Procedures](#)

[Chancellor's Regulation A-750 Child Abuse](#)

[Chancellor's Regulation A-755 Suicide Prevention/Intervention](#)

[Chancellor's Regulation A-830 Filing Internal Complaints of Unlawful Discrimination/Harassment](#)

[Chancellor's Regulation A-831 Peer Sexual Harassment](#)

[Chancellor's Regulation A-832 Student-To-Student Bias-Based Harassment, Intimidation, and/or Bullying](#)

[Revised MOU Among DOE, NYPD and The City of New York](#)

[Citywide Behavioral Expectations to Support Student Learning \(The Discipline Code K-5\)](#)

[Citywide Behavioral Expectations to Support Student Learning \(The Discipline Code 6-12\)](#)

[Parents' Bill of Rights and Responsibilities](#)

[Parent Guide to School Safety and Emergency Preparedness](#)

[Internet Acceptable Use and Safety Policy](#)

[Social Media Guidelines for Students 12 and Younger](#)

[Social Media Guidelines for Students Over 13](#)