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# The Children's Unit for Treatment & Evaluation

## *Student Code of Conduct*

This manual was developed in accordance with NYSED Part 100.2 regulations – School conduct and discipline.

## Foreword

The Children's Unit for Treatment and Evaluation is a New York State Education Department approved private special education program for preschool (ages 3-5) and school age students (ages 5-11) diagnosed with Autism Spectrum Disorder and related disorders as well as children enrolled in the Early Intervention Program via NYS Department of Health (ages birth-3).

As part of our approval by the state for our School Age Program, we are required to comply with regulations to provide a code of conduct that outlines expectations for student behavior and disciplinary actions for prohibited student conduct, as well as visitors to our facility. The Part 100 Regulations of the Commissioner of Education, which specify requirements for elementary, middle and secondary school programs in New York State, Part 100.2, General School Requirements, on which this manual is based can be found at: <http://www.p12.nysed.gov/part100/pages/1002.html#1>.

All of the staff at our program understand that children may come to us with extensive behavioral needs and greater flexibility will be needed from our staff than may be typical in other settings. The purpose of this Student Code of Conduct is to outline how our staff will work together with each student and family, as well as other community partners (i.e., districts, county health departments, case workers and similar professionals) to ensure that each student has access to education in a safe, caring, and supportive environment.

Thank you for letting us partner with your family. We look forward to sharing in each student's successes in the coming year!

Sincerely,

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## **Student (and Parents) Bill of Rights**

Students enrolled in programs at the Children's Unit for Treatment and Evaluation (CUTE) will have the same civil or legal rights afforded to other students under the provisions of the federal and state constitution and laws of the State of New York. Students and families will be treated with kindness and support with no discrimination on the basis of race, color, national origin, sex, gender identity, age, religion, developmental disability, or health condition at any time.

All of our students have the right to the following:

- Privacy and confidentiality at all times;
- Access to an educational program consistent with the agreed upon, current Individualized Education Plan (IEP) per the student's school district;
- Kind and respectful treatment by all students and staff;
- Harassment-free and discrimination-free environment and information on how to report incidents of concern if intimidation, harassment, or discrimination are believed to have occurred;
- A safe, clean, and organized learning environment;
- A location in the classroom for personal belongings;
- Access to sufficient meals, snacks, and drinks during the school day as sent in by families for each student;
- Access to appropriate toileting facilities and support to engage in hygienic routines consistent with each student's developmental level;
- The ability to express one's opinions or concerns in a respectful way without fear of retaliation; and,
- The ability to participate in meetings regarding one's own progress and development, as appropriate to each student's capabilities.

All students who attend the Children's Unit for Treatment and Evaluation are expected to uphold the following standards:

- Treat others with kindness and respect at all times;
- Keep hands, feet, and body to oneself;
- Avoid all forms of bullying (including cyber-bullying), intimidation, or discriminatory actions against others, including but not limited to inappropriate comments or actions made on the basis of race, color, national origin, sex, gender identity, age, religion, developmental disability, or health condition;
- Avoid the use of profanity and obscenities in both verbal and written forms at all times;
- Agree not to record audio or video of other students during the school day; and,
- Report concerns of violations of any of the above to a staff person as soon as they are detected.

Parents of enrolled students have the following rights:

- Privacy and confidentiality at all times;
- Kind and respectful treatment by all students and staff;
- Harassment-free and discrimination-free environment and information on how to report incidents of concern if intimidation, harassment, or discrimination are believed to have occurred;

- Ability to be an active member of their child’s educational planning, including but not limited to attendance at meetings, review of written material, or discussion regarding child progress and placement or service alterations per the IEP;
- Timely receipt of the information contained in this Code of Conduct, as well as other information about policies and procedures that impact their child’s education;
- Opportunities to discuss concerns and questions with staff and access to appropriate supports to ensure understanding (i.e., translation/interpretation services).
- Access to information about our program via our family guides and tours or staff meetings to support familiarity with our policies and procedures;
- Timely notification of any changes to their child’s health status or educational programming; and,
- Support from leadership staff when determining the most appropriate transition placement for their child.

Parent responsibilities include:

- Being an active participant in their child’s education;
- Providing updated contact information, authorization of release, transportation permission, health information, and legal custody documentation in a timely manner;
- Abiding by attendance policies consistent with the child’s school district expectations, including provision of tardy/absent/early dismissal notes where applicable, with knowledge that absence patterns of concern will be reported to the Committee on Special Education supporting the student’s placement at CUTE;
- Communicating respectfully and kindly with all staff, students, and other families receiving services at CUTE;
- Notifying school staff and administration of any concerns or complaints in a timely manner; and,
- Abiding by all responsibilities for health and safety as required by NYSED and/or NYS Department of Health, including but not limited to ensuring their child’s immunizations are up-to-date, keeping their child home for the duration of specific communicable illnesses as specified in our family guide per state regulations, picking their child up from school when advised to do so by the school nurse given health status, providing a doctor’s note to return to school if requested, and ensuring their child is well groomed, clean, and wearing attire consistent with the school dress code.

## **Discipline Code for Student (and Parent) Behavior**

Student Dress Code – A student’s grooming and appearance (including hair style and color, jewelry, make-up, body art, and nails) should:

- Be clean, safe, and appropriate to the activities in that student’s educational program;
- Not include garments that minimally cover the body, including but not limited to tube/crop tops, spaghetti-strap tank tops, low cut shirts (front or back), and any clothing that is either see-through or exposes the midriff, buttocks, or genitalia;
- Include clothing that covers all underwear completely;
- Include footwear at all times;
- Avoid items that depict vulgar, obscene, or discriminatory messages, as well as those that encourage illegal or violent actions, either in writing or by picture.

*Students who violate the dress code will be required to change or cover the offending item. Failure to do so will result in a call to the student’s parent or legal guardian to come to assist them with changing or take them home if the student continues to refuse to change to appropriate clothing. The student and family will be provided with reminders about the dress code and examples of what the student can wear to be compliant with the dress code. An unusual event form will be completed if the student is removed from school due to this reason.*

\*If a student violates the dress code sufficient to require three removals from school for refusal to change inappropriate attire, a meeting will be called with the parent and responsible CSE to discuss behavioral expectations for continuing with the CUTE program.

Tobacco, Alcohol, and Other Controlled Substances- The CUTE program is housed in the Institute for Child Development on the Binghamton University campus. As a requirement of the Federal Drug-Free Schools and Campuses Regulations, all students, parents, and visitors to our facility may not carry a controlled substance of any kind or alcohol on their person nor use a controlled substance or alcohol while on our school grounds. Binghamton University is also a tobacco-free campus, so the use of “all tobacco and tobacco-derived products intended for human consumption, including, but not limited to, cigarettes, electronic nicotine delivery systems, cigars, hookah-smoked products, clove cigarettes, bidis, kreteks, smokeless tobacco and snus” is strictly prohibited. “This definition does not include any product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco use cessation product” (State University of New York at Binghamton, Security and Safety Policy 800(b), August 2017).

*If a student violates this policy, the item will be confiscated, the parent will be notified of the event, an unusual event form completed, and the parent will be required to sign off on a written statement indicating that such an event will not occur again. If a parent or visitor violates the tobacco, alcohol, and other controlled substances policy, they will be notified of their violation and asked to leave the school grounds. This may include staff not releasing a student to their parent if the parent appears to be under the influence of a substance affecting their ability to care for or maintain the safety of that child. University Law Enforcement may be called for consultation to ensure the safety of all parties.*

Weapons - All students, parents, and visitors to our facility may not carry or use firearms or other dangerous weapons at any time. An exception to carrying of a firearm applies to approved law

enforcement personnel. A weapon for the purposes of this Student Code of Conduct is defined as a device, instrument, material, or substance that has the ability to cause death or serious bodily injury or harm.

*If a student violates this policy, the item will be confiscated, the parent will be notified of the event, an unusual event form completed, and the parent will be required to sign off on a written statement indicating that such an event will not occur again. If a parent or visitor violates this policy, they will be notified of their violation and asked to leave the school grounds. University Law Enforcement may be called for consultation to ensure the safety of all parties.*

### Use of Personal Electronics

We understand that students have a range of electronics available to them to support their learning and to connect with others, including family members. As such, we feel that it is important to specify the bounds of permitted use of electronics in school to be consistent with that of local school districts from which students come to our program. Please note the following policies regarding student electronics at CUTE:

1. Students who bring non-essential electronic equipment from home, including but not limited to cell phones, Blackberries, MP3/MP4 players, iPods, or gaming systems, are solely responsible for securing and safeguarding their equipment. This does not refer to communication devices or other equipment related to IEP goal attainment or general functional support.
2. Cell phones or other messaging systems may not be used by students in the classrooms at any time. If a student and parent need to communicate during the school day, CUTE staff will ensure that phone calls are made home or accepted via reception staff for appropriate reasons (i.e., family emergencies).
3. Recording of classroom activities on personal electronics is prohibited for all staff, students, and parents or legal guardians of students.
4. Students who wear GPS-enabled tracking bracelets or other devices are able to wear these devices throughout the day to ensure their safety with a written letter from the legal guardian requesting that the student be permitted to do so. If there is a recording mechanism in the device, it must be turned off or otherwise disabled during the school day to respect the privacy and confidentiality of other students in our program.
5. If a student is found using personal electronic equipment that is not approved as part of an IEP goal, the equipment will be taken from the student and held at the reception office until the end of the school day. If inappropriate use of electronics occurs three separate days, the parent or legal guardian will be called and the electronic equipment only returned to a parent with discussion of how to limit inappropriate use during future school days.
6. If electronic devices or other equipment related to IEP goal attainment or general functional support are being used at CUTE, the responsibility for replacement or repair of any damage sustained on site are the sole responsibility of the original providing agency (i.e., school district, county health department, or other funding agency for device) or legal guardian if privately funded.

Despite restrictions on the use of personal electronics, CUTE has many internal electronic equipment options, including gaming systems, iPads, computers, etc. that are available for student use during the school day. Given this level of access to program approved electronics, personal electronic use is unnecessary for most of our students.

## **Procedures for Maintenance and Enforcement of Order on School Property**

We recognize that children are referred to our program for needs associated with the developmental delays and emotional and behavioral characteristics consistent with Autism Spectrum Disorder. Individualized Education Plans are specifically designed in ways to support student behavior in positive ways per our program's mission. Any concerns that may arise regarding aggressive or disruptive behavior are more often associated with the child's already identified needs for CSE support and, subsequently, placement in our program.

Our program does not use aversive interventions, including verbal reprimands or other disparaging statements nor physical discipline of any kind. We also do not use time-out rooms or other isolating means of de-escalating students. Our approach to instruction involves focusing on the skills the students need to succeed, such that the skills they develop often compete with less adaptive ways they were previously using to try to meet wants and needs.

A goal is the term we use for the specific instructional methods used to teach a skill or set of skills. For each skill the student is learning, there is a separate and specific goal. Individual goals are prioritized for each student, depending on the skill(s) or behavior(s) essential for their growth and development. Goals are chosen after an initial analysis of the student's skill level and assessment of motivational variables, physical limitations, and the expectations/demands of the social and environmental settings. Goals are organized across domains: Communication/Speech, Pre-Academic/Academic, Life Skills /OT, Social, and Behavioral. Most goals are scheduled to be conducted various times throughout each day. Parallel goals or parallel programs aim to ensure generalization and maintenance of learned behaviors and skills, and thus are conducted across the day, including during other goals (e.g., sitting nicely in one's chair during a group lesson or making a socially appropriate response to a peer's greeting).

### Behavioral Support at the Children's Unit for Treatment and Evaluation

Children learn and grow best when they are healthy, safe, and in a nurturing and supportive environment. Our staff at the Children's Unit for Treatment and Evaluation are committed to the well-being and safety of each student. We rely on evidence-based behavioral strategies to build skills and help children cope with challenges they face in their social and learning environments. We also recognize that sometimes children need specialized support. In order to provide this type of support, our staff receive specialized training with an emphasis on preventing challenging behavior and helping children when they do become upset.

Our facility uses a multi-tiered approach to behavioral support. We rely on strategies like choice-making, modeling of appropriate behavior, reinforcing the behavior of children displaying positive behavior, redirection, using first-then statements, providing corrective feedback while ignoring maladaptive behavior, and having the child be part of detecting when they start to get upset and/or returning their learning environment to the prior status after becoming upset (i.e., putting materials back, cleaning up debris, and so on). These strategies are used daily as supports for all students, where applicable. If students are not responding to these general strategies, we look at a specific support program that increases their opportunities to earn rewards for appropriate behavior to compete with problem behavior. All of these support programs are developed by the student's multidisciplinary team.

All of our staff are also trained in the Safety-Care™ Behavioral Safety Training program (QBS, Inc.), which is an approach based on extensive clinical research in the field of applied behavior analysis. Safety-Care™ provides the skills and competencies necessary to effectively prevent, minimize, and manage behavioral challenges with dignity and safety as top priorities. These methods are specifically designed to prevent crises and teach desirable, functional alternatives to dangerous or disruptive behavior.

Although our emphasis is always on prevention and the development of emotion regulation and coping skills, our staff are also trained in how to respond if a crisis does happen. In the *highly unusual* event that a student becomes a significant danger to himself/herself/oneself or others because of significant behavioral problems, our staff are trained to intervene to reduce the likelihood of significant injury or harm to all involved. Should such a rare occurrence arise, we will contact the parent immediately to discuss the situation, as well as our planned strategies for preventing any future crises from happening. Our emphasis on prevention and positive skill building often keeps crisis situations from becoming a concern, but families should be assured that we are able to support each student in any situation they encounter with care, respect, and safety in mind.

If a student appears to be struggling with ongoing behavioral challenges, we will contact the parent and ask to meet for planning to ensure we are doing all we can to best serve the student and family. During the meeting, we will discuss options and strategies, including whether it might be best to reach out to a child's school district for permission to conduct a functional behavior assessment (FBA) for consideration of a behavior intervention plan (BIP). Definitions of FBAs and BIPs can be found within NYSED's regulations, as these are related to formalized IEP supports. The primary purpose of such assessments and plans is to help identify what might be causing the student's behavior and create a systematic plan to improve the student's functioning. All of these steps are in the interest of providing each student with the best education possible, and parent input is essential to each step of the process.

### Visitors

Visitors to our program are required to uphold similar standards of safety and responsible conduct when on the school grounds. All visitors are required to sign-in with our reception staff, obtain a visitor badge, and be escorted by a staff person at all times when in our school hallways, classrooms, and meeting rooms. Parents of enrolled students are also considered visitors to our building and will be expected to follow procedures as specified in this section. Should a visitor engage in intimidating, discriminatory, or harassing behavior, the staff person escorting that individual will notify them that the behavior being displayed is not consistent with our expectations for conduct on our school grounds. If a visitor continues to engage in an intimidating, discriminatory, or harassing manner toward staff, students, or other visitors/parents, they may be asked to leave. University Law Enforcement may be called for consultation. *Visitors are strictly prohibited from recording (audio, video, or other means) or photographing classrooms, students, meetings or ongoing activities supported by our program at any time.*

### Child Protective Services

Please be advised that our program will cooperate with Child Protective Services investigations, which might include requests to observe students enrolled in our program; obtain information about student attendance, progress, or hygiene; and, review certain records related to the child's well-being. All on-site visits will follow guidelines specified for visitors as outlined above. The escorting staff person is usually

a member of CUTE's leadership team or one of the facility directors. CPS investigations do not require parental permission or consent for our cooperation.

## **Procedures for Early Resolution of Discipline Problems**

Parents are notified either by phone call or in writing about any concerns that arise with their child. The Children's Unit for Treatment and Evaluation does not suspend enrolled students nor take disciplinary action against students for behavioral challenges. We aim to support students to the best of our ability via positive behavioral interventions that reduce the likelihood of students engaging in significant, dangerous behavior. In the event that a student's behavior has escalated substantially, our staff call a meeting with the student's parents to problem-solve and discuss the next steps for intervention. If the family and our staff continue to have concerns despite changes made to support the student in continuing to meet IEP objectives in our setting, then the Director of Educational Services calls the school district to discuss the appropriateness of our program as a placement. If all levels of support in our facility have been exhausted based on consultation with the district and family, the school district will usually call an emergency CSE meeting to discuss other placement options that might better serve the student. Parents of students at our facility who have children in these circumstances often have had several planning and support meetings with our staff prior to these emergency CSE meetings in attempts to address behavior concerns and have been advised to consider if there are other placements the parents would like to explore that might better support their child.

We do not make recommendations for interim alternative educational placements for a child. Our discussions with parents and school districts involve whether it is most beneficial for the student to continue with our program or be considered for other more appropriate supports via his/her/their IEP. Students are encouraged to attend our program as long as we are the listed educational placement on that student's IEP. Relatedly, students can only attend CUTE if we have received an IEP on which we are the listed educational placement.

## **Guidelines for In-service Education Programs on Student Conduct and Discipline**

Staff at CUTE regularly attend in-service trainings to develop a variety of skills to support our students. Additionally, they are required to review, with written and signed attestation, our ICD Conduct Manual, CUTE Staff Policies and Procedures Manual, and this Student Code of Conduct, on an annual basis. All manuals and codes of conduct are updated in May/June of the previous school year, and staff are required to review them during July/August of the following school year. All new staff are required to review these manuals at time of hire and then on the schedule as described above thereafter. Should an edit be made to any of our manuals, staff would be informed and asked to review the content within 30 days of the distributed revision.

## **Dissemination and Revision of this Code of Conduct**

The Student Code of Conduct will be distributed within or before each student's first week of enrollment with CUTE and between August and September of each school year or more often depending on revisions and updates. As already indicated, staff receive this Code of Conduct at time of hire and at

least annually thereafter. This Code of Conduct will also be available on the ICD's website and will be available upon request. Revisions to this manual will be completed at least annually unless regulations or other circumstances require a revision sooner.