

Baltimore City Public Schools
Guidance Document:
Implementation of the Code of Conduct for In-Person Learning
SY 2020-2021

This guidance is subject to change as we progress and learn more throughout the school year. Updates will be issued, as needed.

Background

To grow and thrive, students need a safe and supportive learning environment. Establishing a clear and common understanding of expectations for student behavior is an essential aspect of creating such an environment for all students, as is maintaining adherence to common health and safety protocols. Cultivating developmentally-appropriate social and emotional skills is critical for helping young people meet these behavioral expectations and for creating a strong, safe learning community. This includes helping young people develop the ability to recognize, express, and successfully process their feelings; manage their behavior; build positive relationships; resolve conflicts peacefully; and deal with stress in healthy ways.

When students exhibit behavior challenges, it is often indicative of a need for increased support, norm-setting, and community-building in the learning environment and/or of a student's underlying emotional, social, or academic needs or struggles. Educators should prioritize understanding and addressing the root causes of student behavior, collaborating with other staff and partners to ensure that students receive all necessary supports, while also establishing clear boundaries and helping students understand and take responsibility for the impact of their behavior on themselves and the community around them.

In light of the significant stress that students and their families have faced in recent months due to the COVID-19 pandemic, ongoing exposure to violence and racism, economic pressures, political tensions, social isolation, and distance learning, it is likely that some students will exhibit increased behavioral issues. It will be important for schools to provide these students with focused attention and supports as soon as such issues become apparent, rather than waiting for them to escalate into more serious challenges. School social workers, psychologists, counselors, mental health clinicians from the Expanded School Behavioral Health (ESBH) program, and other service providers should be enlisted as early as possible to assess and respond to a student's needs for support.

For some students returning to school in-person, new safety measures, such as mask-wearing, physical distancing, and frequent hand-washing, may pose new challenges and behavioral concerns.

Application of the Code of Conduct During In-Person Learning

City Schools' Code of Conduct defines common expectations for student behavior, while also providing guidance on appropriate interventions and disciplinary responses in the wake of incidents that violate the expectations defined in the Code. The following parameters will guide implementation of the Code of Conduct and discipline practices in the 2020 – 21 school year:

- The Code of Conduct will apply in SY20 – 21, whether students are in school buildings or participating in virtual learning (please see Guidance on Implementation of the Code of Conduct for Virtual Learning).
- Support and restorative approaches should be prioritized, as usual, with suspensions being used as a last resort (in accordance with school Board Policy JKA).
- Incidents that occur when a student is in school will be handled as usual, in accordance with the Code of Conduct:
 - Schools will handle incidents that are levels 1-3 (with Level 3 referring to interventions that involve short-term suspensions of up to 3 days).
 - Levels 4 and 5 (long-term and extended suspensions) require prior approval from the Office of Student Conduct and Attendance.
- All incidents must be entered in the discipline module of Infinite Campus.

Suspension days must be consecutive. This means that if a student is suspended during a hybrid learning period, they will not be allowed to participate in in-person or live virtual learning opportunities on those days of suspension. However, they will be expected to take part in self-directed learning and will be provided learning activities and assignments, as usual. As always, it is essential to ensure that comparable educational services are provided.

Responses to Safety-Related Behavioral Issues

Face Covering and Other Health and Safety Requirements

City Schools' Health and Safety Guide stipulates that, for the duration of the COVID-19 pandemic, all students age 2 and older must wear a cloth face covering or disposable mask when inside a City Schools building, unless in certain very limited circumstances where the student (or their parent/guardian) obtains written approval for an exception/accommodation.

This requirement aligns with [joint guidance](#) from the Maryland Department of Health ("MDH") and the Maryland State Department of Education ("MSDE"), as well as the Baltimore City Health Commissioner, medical experts, and public health agencies nationally and internationally.

For more information, please see City Schools' Fall 2020 Health and Safety Guide ("Health and Safety Guide"). The latest version is available at this [link](#).

City Schools recognizes that some students may not be able wear cloth face coverings:

- Children under the age of 2 are not required to wear a face covering.
- Other circumstances in which mask accommodations for students may be considered include:
 - Students with intellectual or developmental disabilities that prevent them from wearing a face covering or from removing it without assistance.
 - Students with respiratory conditions that prevent them from wearing a face covering.
 - These students should wear face shields when possible.

For more information on how families may obtain an exception or accommodation from the mask requirement, please see City Schools' "Guidance Regarding Requests for Exceptions to COVID-19 Face-Covering Requirements for Students."

The Health and Safety Guide also calls for social distancing and regular hand-washing. Social distancing means deliberately increasing the physical space between individuals to limit the spread of COVID-19. Staying a minimum of six (6) feet away from other people and limiting time spent within fewer than six (6) feet to less than 15 minutes reduces the risk of exposure to someone who might be infected.

Mask Breaks

As stated in City Schools' [Health and Safety Guide](#), outdoor breaks are encouraged for staff and students to allow for taking a break from wearing a face covering as long as six (6) feet of social distancing is consistently maintained. By providing such breaks, schools may prevent or reduce issues of non-compliance and thus limit the need for behavioral or disciplinary interventions.

If a student needs a face covering break and going outside is not feasible, the break may be taken in a room with a closed door where the student can remove their face covering for a brief period (in no circumstances longer than 15 minutes). The adult who is supervising the student must remain at least six (6) feet away and continue to wear their face covering. The supervising adult may also wear a face shield or goggles, if available.

Alternatives to a mask exception may include more frequent mask breaks, but please note that a student who is taking advantage of a "mask break" should not be confused with an exception to face-covering requirements. An exception is a last resort measure; all attempts should be made first to build in breaks and modify behavioral routines before considering an exception.

Creating a Culture of Positive Support for Health and Safety Measures

Schools should clearly and continuously communicate health and safety expectations to students and families prior to and throughout in-person learning, making sure to explain the rationale for the requirements to students in a consistent, age-appropriate manner.

At the start of in-person learning, teachers and administrators should engage students in conversations about these safety measures, emphasizing the importance of creating a safe

community where people protect themselves and one another by following these rules. Students should also be provided an opportunity to share their feelings about the safety measures, making sure to affirm feelings of frustration or discomfort, while still reinforcing the critical importance of everyone following the rules consistently.

School leaders and teachers should continue to communicate daily about the importance of wearing face coverings and following other safety measures throughout the year. They should reinforce these practices every day, including modeling/setting a good example.

Consider requiring younger students to watch a video about the importance of mask wearing, such as:

- <https://www.youtube.com/watch?v=vGB-hxst7fo>
- <https://www.youtube.com/watch?v=a9QTxUklE0w>
- <https://www.youtube.com/watch?v=iE6L-4tO-rs>

When talking with younger students about the importance of wearing a mask, use age-appropriate terms and neutral words that will not frighten them. Some useful tips are available at this [link](#).

School staff should collaborate with parents/guardians of all students to reinforce proper use and removal of cloth face coverings, including the use of behavioral strategies as necessary to assist students with becoming comfortable wearing cloth face coverings.

Tiered Approach

When a student persistently or intentionally fails to follow rules related to face covering, social distancing, or other health measures that are critical for the safety of the community, schools should take a tiered approach to behavioral intervention and support. Only after repeated, persistent and flagrant disregard for mask rules and social distance requirements should disciplinary measures be taken.

First, consider the root causes for the student not wearing their mask or following other safety rules.

- Is the student's behavior possibly due to a disability or an emotional trauma? If so, explore whether the student may require an accommodation.
- Is the student's unwillingness to wear a mask or follow other safety measures due to other academic challenges or frustrations, health issues, or perhaps discomfort related to heat?

First engage the student and family in a conversation about what lies at the root of the challenge. Then develop interventions and supports accordingly. This could include:

- Increased mask breaks
- Level 1 de-escalation strategies, as described in the Code of Conduct
- Requiring students to watch a video about the importance of mask-wearing

- Collaborating with a school social worker, school counselor, or school psychologist to talk with the student
- Assigning the student a project to research supporting mask-wearing

Only after employing a tiered approach of positive behavioral supports should schools consider a higher-level of response.

If a student persists in knowingly violating establish safety rules and procedures, a suspension may be considered. **To potentially warrant a suspension, the behavior must be chronic and disruptive to the educational process and/or must be creating an imminent threat of serious harm to other students and staff.**

Determining whether a student poses an imminent threat requires the use of an individualized approach. You must consider past conduct, responses to consequences and victims, and the impact on the school environment. Failed interventions, repeated misbehavior by a student and refusal to obey health and safety protocols, and a lack of remorse may support a finding that a student poses an imminent threat to others.

In the event that a suspension is given, it is essential to ensure that comparable educational services are provided during the suspension period.

Coding of an Incident

In the event that an incident meets the standard outlined above for increased levels of disciplinary action, careful consideration must be given to how to code and respond to the incident. The following are the most likely codes to be used under such circumstances, depending on the nature of the incident.

If there is any question as to how to code an incident or what disciplinary response is appropriate, please immediately contact the Office of Student Conduct and Attendance for assistance (suspensionservices@bcps.k12.md.us or Ms. Lori Hines, Director, lhines@bcps.k12.md.us).

401.1 – Attack on student

407.1 – Bullying

704.5 – Bus Violations

704.1 – Classroom Disruption

407.2 – Harassment

401.1 – Physical contact w/ adult

403.1 – Threat to adult

404.1 – Threat to student

Dealing with an Immediate Risk

If a student continues to refuse to wear a mask after being asked to put it on, they should be relocated to a designated area away from other students and staff while the issue is resolved.

If, after being relocated to the designated area and every attempt made to have the student wear a mask, the student still refuses, then a higher level of disciplinary response will be considered.

In extreme situations, after returning to the building from a suspension, if the student continues to refuse to wear a mask, that student may be assigned to virtual learning with their own school for a designated period of time after consultation and approval from the Office of Student Conduct and Attendance, making sure to maintain the student's existing educational program and adhering to all provisions of a student's IEP or 504 plan. Before an assignment to virtual learning is implemented, the school must contact the parent/guardian and advise them of the assignment, the reason(s) therefor, and the duration of the assignment.

During the student's period of time assigned to virtual learning every attempt should be made by the school to continue to work with the student and family to identify and address the root causes for the student's behavior.

For questions or further information, please contact Dr. Sarah C. Warren, Executive Director of Whole Child Services and Support @ scwarren@bcps.k12.md.us, or Lori Hines, Director of Student Conduct and Attendance @ lhines@bcps.k12.md.us.

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