

Troop 95 Code of Conduct and Disciplinary Policy
FINAL DRAFT



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I. Purpose

- A. By registering with Troop 95, both Scouts and adults agree to adhere to and follow this policy.
- B. The Disciplinary Action Plan is intended to support the Scout leadership, the Scoutmaster (SM) and adult leadership.
- C. The Boy Scouts of America's (BSA) Guide to Safe Scouting requires that Troop leadership ensure healthy and safe Troop activities, and along with education and training, this plan provides the structure and procedures necessary to meet this mandate.
- D. This plan is intended to clearly outline the disciplinary consequences and procedures for Scouts or adults who fail to abide by the Troop 95 and BSA Scouter Code of Conduct.
- E. The Code of Conduct Committee can make changes to the Code of Conduct at any point and if changes are made, they will be provided at the following Committee/Parent Meeting.
- F. Suggestions or recommendations can be submitted to the Code of Conduct Committee for consideration.

II. Objectives

- A. The Scout should LEARN from the consequences of misconduct.
- B. Immediate consequences offer the best opportunity for Scouts to learn from their mistakes.
- C. Upholding the "Scout Spirit" is defined as the daily living of the Scout Oath and Scout Law.
- D. No Scout should expect to be advanced in rank or commended at a Court of Honor unless they have demonstrated "Scout Spirit" and followed the Scout Oath and Law.
- E. All adults, youth members, and parents of Scouts of Troop 95 are held to a high standard of conduct.
- F. Protecting Scouts and leadership from onerous, time-consuming and distracting disciplinary actions is another objective of this policy.
- G. Since youth Scout leaders and adult leaders do not join the troop to be "police" or "baby sitters", Scouts and parents should understand that repeated violations of the Code of Conduct will not be tolerated and there will be consequences for those choices.
- H. Many other institutions such as schools, churches, and workplaces inform Scouts and parents of appropriate behavior and this policy is in-line with standard expectations of appropriate conduct.

III. Outing Leadership

- A. For each outing, Troop activity and meeting, the Scoutmaster or a Supervising Adult Leader, designated by the Scoutmaster, will be responsible for dealing with violations of the Code.
- B. If at a long-term outing, like summer camp, the Scoutmaster or designated Supervising Adult Leader may rotate this duty with other adults. This is in keeping with the BSA's Two Deep adult leadership mandate.

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- C. The Senior Patrol Leader (SPL), the Scoutmaster and Supervising Adult Leader shall be responsible for maintaining accurate disciplinary records.

IV. The Code of Conduct Committee

- A. The Code of Conduct Committee may be convened to deal with Level 4 and 5 consequences or appeals, and shall consist of the following members:
 - 1. Senior Patrol Leader (SPL)
 - 2. One other Scout leader (Assistant Senior Patrol Leader (ASPL) or Patrol Leader (PL)) chosen by the SPL
 - 3. The Advancement Coordinator
 - 4. The Scoutmaster (SM)
 - 5. The Charter Organization Representative (COR) or an Assistant Scoutmaster (ASM)
- B. The Code of Conduct Committee may hear witnesses and take statements related to the incident under review to determine the consequences for the Code of Conduct violation.

V. Code of Conduct

- A. By registering with Troop 95, both Scouts and adults agree to adhere to and follow this policy.
- B. Always follow and respect the Scout Oath, the Scout Law and the Scout Sign.
- C. Always exhibit Scout Spirit by wearing a Class-A uniform to Troop meetings, ceremonies, and traveling to and from outings, as directed by the Scoutmaster and adult leaders.
 - a. Reasonable and temporary exceptions may be allowed by the Scoutmaster or adult leader.
- D. Always be respectful of others.
- E. Bullying, threatening, or intimidating another Scout with words or actions is cause for discipline.
- F. Never be physically or verbally abusive or vulgar towards others and discourage this behavior among fellow Scouts.
- G. Foul language that offends, degrades or is negative and derogatory is unacceptable.
- H. Actions or language that is offensive or discriminatory with respect to sex, race, religion, ethnicity, physical/mental disability etc. is cause for discipline.
- I. Personal Display of Affection (PDA) will not be tolerated at any troop meeting and/or outing at any location regardless of the event type.
- J. Exercise good sportsmanship in games and competitive activities.
- K. Always follow and respect the direction given by Scout and adult leaders, especially for the good health and safety of others and myself.
- L. Always be respectful of the property of others.
- M. Ask permission to use the property of others.
- N. Never enter a person's tent without permission.
- O. Follow laws and regulations of local, state, and federal agencies while on government property and conditions for using private property.

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- P. Follow the Leave No Trace Principles and Outdoor Code.
- Q. Always follow and respect fire safety rules, never play with fire, nor use any kind of fire or unsafe heating or lighting devices inside tents.
- R. Always obey and follow aquatic safety rules during Troop outings and activities and never go swimming or boating without proper supervision and training.
- S. Never use illicit or controlled substances, including food or drinks that contain CBD, drugs, alcohol, tobacco, or vaping.
- T. The Troop adult leaders will hold any of my medical prescriptions while on outings or Troop activities as required by BSA regulations.
- U. Possession of or use of firearms, fire-crackers, fireworks, rockets, ammunition, black powder, sling-shots, bow and arrows, paint ball guns or any other type of weapon at a Scouting event is prohibited unless it is during an official District, Council or National Scouting event at an authorized location and while being supervised by a properly trained adult leader.
- V. Knives, axes and other sharp or dangerous camping equipment may be used in a properly prepared Axe Yard and when supervised by an adult leader and only by Scouts who have been trained (such as rank requirements or have a valid Tot'n Chip card).
- W. Knives longer than 3 inches are not allowed.
- X. Electronic devices are to be put away and not used during outings, meetings and other Troop activities, with the exception in cases of emergency or when explicitly permitted by a Supervising Adult Leader or the Scoutmaster.
- Y. Limited use of electronic devices may be allowed by an adult driver during trips to or from a troop event with their permission.
- Z. Electronic devices include iPod's, cell phones, CD players, radios, portable TV's or DVD players, various game systems, etc.

VI. Discipline Types and Level of Consequences

- A. The following are the types of discipline, with descriptions, imposed on a Scout for violations of the Code of Conduct.
 - 1. Verbal warning by SPL
 - 2. Verbal warning by SPL, Scoutmaster or adult leader with a conference
 - 3. Written essays
 - a. Essays must be completed and turned in prior to returning to Scouting activities.
 - 4. Removal from Troop Event, Activity or Service Project (Scout is sent home)
 - 5. Removal from Troop Leadership
 - 6. Letters/phone calls or conferences with parents by Scoutmaster
 - 7. Meeting with offending Scout and his parent(s) with Code of Conduct Committee
 - 8. Mandatory Parental Supervision (MPS) - Level 1 (6-12 weeks)
 - 9. Mandatory Parental Supervision (MPS) - Level 2 (8-16 weeks)
 - 10. Dismissal from the Troop
 - 11. A Scoutmaster conference related to the violation and consequence will be held in addition to any other consequence imposed.

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- B. There are six levels of disciplinary consequences, all of which are documented on a Scouts' Disciplinary record:
1. Level 1:
 - a. Verbal warning by the SPL and/or adult leadership.
 2. Level 2:
 - a. Verbal warning by the Scoutmaster (or supervising adult leader);
 - b. Scoutmaster may counsel scout to reinforce expectations.
 3. Level 3:
 - a. Scoutmaster counseling;
 - b. Complete a 100-word essay on a topic determined by the Scoutmaster with a due date determined by the Scoutmaster;
 - c. Timely notification of parents by the Scoutmaster.
 4. Level 4:
 - a. If the incident occurs during an outing, the parents will be required to get their Scout and take them home.
 - b. If the Scout is currently holding a Troop leadership position and reaches a Level 4 or higher during their term, they will be removed from that position immediately and can only count the time served prior to removal or date of misconduct as part of leadership.
 - i. The current SPL will appoint someone to replace the Scout.
 - ii. If that person is the SPL, then the current ASPL will take over.
 - iii. If there are two or more ASPL's in place, the one who holds the highest rank will become the new SPL.
 - iv. If the ASPL's are the same rank, the one who has been the rank the longest will become the new SPL and will be allowed to recommend a new ASPL to take their place.
 - v. If it is a Patrol Leader the APL will take over and appoint a new APL.
 - c. Mandatory Parental Supervision (MPS)-Level 1
 - i. In order to participate in Troop events, activities or service projects, a parent/guardian/adult family member must accompany the Scout for 6-12 weeks, as determined by the Code of Conduct Committee;
 - ii. The definition of Troop related events, activities or service projects include Troop meetings, outings, church clean up, Christmas Tree Lane service, Courts of Honor, Eagle Courts of Honor etc.
 - d. Additionally, the Scout must do the following:
 - i. Participate in Scoutmaster counseling
 - ii. Complete a 200-word essay on a topic determined by Scoutmaster with a due date determined by the Scoutmaster;
 - iii. Further violations of the Code of Conduct during this 6-12 week time period, shall result in a Level 5 consequence.
 5. Level 5:
 - a. If the incident occurs during an outing, the parents will be required to get their Scout and take them home.

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- b. If the Scout is currently holding a Troop leadership position and reaches a Level 4 or higher during their term, they will be removed from that position immediately and can only count the time served prior to removal or date of misconduct as part of leadership.
 - i. The current SPL will appoint someone to replace the Scout.
 - ii. If that person is the SPL, then the current ASPL will take over.
 - iii. If there are two or more ASPL's in place, the one who holds the highest rank will become the new SPL.
 - iv. If the ASPL's are the same rank, the one who has been the rank the longest will become the new SPL and will be allowed to recommend a new ASPL to take their place.
 - v. If it is a Patrol Leader the APL will take over and appoint a new APL.
 - c. Mandatory Parental Supervision (MPS)-Level 2
 - i. In order to participate in Troop events, activities or service projects, a parent/guardian/adult family member must accompany the Scout for 8-16 weeks, as determined by the Code of Conduct Committee;
 - ii. The definition of Troop related events, activities or service projects include meetings, outings, church clean up, Christmas Tree Lane, Court of Honor, Eagle Court of Honor, etc.
 - d. Additionally, the Scout must do the following:
 - i. Participate in Scoutmaster counseling
 - ii. Complete a 300-word essay on a topic determined by the Scoutmaster with a due date determined by the Scoutmaster;
 - e. At the end of the 8-16 week time period, after all requirements to rejoin are completed, the Code of Conduct Committee shall convene with the Scout and their parents to determine whether the Scout is prepared to re-join the troop or whether the suspension period will be extended further.
 - f. If any further Code violations occur during this period, the offending scout will be referred for a Level 6 Consequence.
6. Level 6:
- a. The Code of Conduct Committee will notify the Key 3 that a Level 6 consequence has been recommended.
 - b. The Key 3 will review the Disciplinary Record of the Scout and take into consideration the facts leading up to the recommendation and decide to sustain or reduce the discipline.
 - c. If the decision by the Key 3 to reduce the Dismissal recommendation is made, the Scoutmaster shall notify the Scout/parents of the outcome.
 - d. If the decision by the Key 3 to dismiss the Scout is made, the COR shall notify the Scout/parents that the Scout has been permanently dismissed from the Troop.
 - e. Decisions by the Key 3 are final and may not be appealed.

VII. Automatic Level 3 Consequence

The following violations will automatically result in a Level 3 Consequence:

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- A. Violations that jeopardize the health or safety of Troop members or others.
- B. Minor destruction of property
- C. Injury to plant or animal life or the environment.
- D. Racist or bigoted actions or remarks, foul language that offends, degrades or is negative and derogatory, actions or language that is offensive or discriminatory with respect to sex, race, religion, ethnicity, physical/mental disability, orientation, gender etc. is cause for discipline.

VIII. Automatic Level 5 Consequence

The following violations will automatically result in a Level 5 Consequence:

- A. Use of illicit or controlled substances, including food and drinks that contain CBD, drugs and alcohol or tobacco.
- B. Serious destruction of property.
- C. Use of or bringing firearms, firecrackers, fireworks, rockets, ammunition, black powder, slingshots, bows & arrows, paint-ball guns or other types of weapons (with the exceptions for BSA and Troop-authorized activities).
- D. Illegal or unauthorized use of fire.
- E. Fighting or bullying, threatening, or intimidating another Scout with words or action or malevolent behavior towards others is cause for discipline.
- F. Any serious misconduct that the Supervising Adult Leader or Scoutmaster deem inappropriate or that results in injury to members of the Troop.

IX. Code of Conduct Consequences

- A. These consequences apply to Scouts only.
- B. Each violation shall be recorded on each Scout's disciplinary record and initialed by the Senior Patrol Leader, the Scoutmaster and the Scout.
- C. Consequences can be progressive or move immediately to more serious consequences.
- D. It is not required to progress through each level of consequence before reaching a more serious consequence.
- E. A six-month time for misconduct violations begins on the date of the violation.
- F. Violations of the Code and consequences are considered active for six-month time periods from each issued violation and will be considered inactive the last day of the month.
- G. The violation will remain on the Scout Disciplinary record and can be considered in the Disciplinary level consideration process if more serious or repeat offences occur.
- H. The Scoutmaster has the option to impose any level of discipline he deems necessary.
- I. The Scout has the option to appeal Level 4-6 consequences only.
- J. A Level 4 or higher consequence requires a conference between the Scoutmaster, the Scout and their parents.

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X. Guidelines for Implementing Consequences.

- A. Patrol Leaders, Assistant Senior Patrol Leaders and the Senior Patrol Leader should make every effort to deal with poor behavior at their levels, starting with clear directions and instructions to their scouts about what is expected from them.
- B. Issues should be resolved at the lowest level possible and should work their way up the chain of command from lower to higher levels.
- C. Any Supervising Adult has the responsibility to intervene if they believe the safety or health of Scouts is in jeopardy.
- D. Counseling and other disciplinary actions should be conducted in accordance with BSA's Two Deep leadership procedures.
- E. Consequences or disciplinary actions that are prohibited by the BSA's Guide to Safe Scouting are not allowed by either Scout leaders or adults when implementing this plan.
- F. Violations and consequences are to be recorded on individual Scouts' disciplinary record and initialed by the Scout, the SPL and the Scoutmaster after the issue is resolved.
- G. Any parent contact by the Scoutmaster about the violation and consequences must also be recorded and initialed by the Scoutmaster and the parent.

XI. Fees

- A. If Scout falls under MPS Level 1 or 2, the parent will be required to follow National requirements related to registration with local Council to supervise their Scout at overnight events or activities.
- B. Parents will also be responsible for any fees related to participating in the outings such as an extra camping spot, any parking fees, grub costs, activity costs etc.
- C. If a MPS Level 1 or 2 consequence occurs prior to any long-term camp or activity, parents are warned they will have to attend the same event and pay any relevant fees related to their attendance.
- D. If they chose not to attend, their Scout will not be allowed to attend, and fees pre-paid for the event are not refundable if the money has already been submitted for the activity.
- E. If the Scout is dismissed from the Troop:
 - a. Any money in the Scout account made via fundraising efforts will be transferred to a new unit once one is identified.
 - i. The parent must notify Troop 95 of the new unit within 30 days of dismissal or the money will be forfeited to Troop 95.
 - b. Any remaining balance paid by the parent in the Scout account will be refunded.

XII. Scout and Parent Notifications and Support

- A. The Scoutmaster will keep the parents of Scouts who are in danger of triggering a Level 3 or higher consequence, informed in a timely manner. The notification will be documented on the Scouts Disciplinary Record.
- B. Verbal or written notification to the parents of Scouts is required whenever a Scout has reached a Level 3 consequence or higher. The notification will be documented on the Scouts Disciplinary Record.

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- C. The Scout's code violations will be specified in the parent notification.
- D. Participation and cooperation of parents in Level 4 or higher consequences is both required and necessary for effective correction of the Scout's behavior.
 - a. Failure to cooperate or assist the Scoutmaster or Key 3 in the enforcement of consequences could result in discipline for the adult up to and including dismissal of the Adult and their Scout(s) from the Troop.

XIII. Appeal of Discipline

- A. There is no appeal for consequences related to Levels 1-3.
- B. The appeal of any consequence of Level 4 or 5, must be made to the SPL within 14 days.
- C. Any appeal requests will be held at the next Tuesday meeting of the Troop or at a time and place that is mutually agreeable, and within 30 days of appeal request.
- D. A notification of the consequence decision will be made by the Scoutmaster within 7 days of the hearing.
- E. Any appeal decisions, including a reduction of the proposed discipline, will be noted on the Disciplinary Record Sheet, and signed by the Scoutmaster or Adult Leader and the Scout.
- F. All appeal decisions of the Code of Conduct Committee are final.

XIV. Expectations for Adult Members

- A. By registering with Troop 95, both Scouts and adults agree to adhere to and follow this policy.
- B. All adults who participate in or attend Troop activities are expected to model good behavior for our Scouts and agree to abide by the Troop 95 and Boy Scouts of America Scouter Code of Conduct.
- C. Adults are expected to abide by the BSA's Guide to Safe Scouting and to act in a way that supports the Scout Oath and Scout Law.
- D. Adults are expected to support the Scout and adult leadership and the Troop Code of Conduct. Failure to do so could result in discipline up to and including dismissal from the Troop.
- E. Adults are expected to place the safety and well-being of Scouts and members of the Troop, uppermost at all times.
- F. Adults who participate in Troop activities should guard against inappropriate language, displays of anger or other inappropriate behavior.
- G. Troop 95 policy states parents, who are properly registered Merit Badge Counselors, may only counsel their Scout for Eagle Merit Badges they are registered for, in a group setting with other Scouts, using the same Merit Badge completion requirements for everyone.
- H. To avoid the appearance of impropriety, parents are strongly encouraged to have other Merit Badge counselors counsel their Scout on Eagle Merit Badges.
- I. Adults are encouraged to attend official BSA training to learn and to support scouting leadership and principles, and to read official BSA publications such as the Guide to Safe Scouting.

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- J. Adults are required to fully cooperate in any investigation or incident in which law enforcement is involved.

XV. Discipline Types and Level of Consequences for Adults

- A. The following are the types of discipline, with descriptions, imposed on adults for violations of the Code of Conduct.
 - 1. Verbal warning by Scoutmaster, Supervising Adult Leader or ASM.
 - 2. Letters/phone calls or conferences with adults by Committee Chair and/or COR
 - 3. Suspension from Troop 95 activities
 - 4. Removal from Leadership position
 - 5. Dismissal from the troop
- B. There are four levels of disciplinary consequences for adults, all of which are documented on an adult's Disciplinary record:
 - 1. Level 1:
 - a. Verbal warning by the Scoutmaster, Supervising Adult Leader, ASM, Committee Chair or COR.
 - 2. Level 2:
 - a. Letter or phone call from Committee Chair or COR with adult(s) to reinforce Troop expectations of behavior.
 - 3. Level 3:
 - a. If it occurs during an event, the adult will be sent home by the Scoutmaster or Supervising Adult Leader.
 - b. Any fees paid to attend any event are nonrefundable.
 - c. Letter notifying adult of suspension from all Troop activities from Committee Chair or COR for 4-8 weeks.
 - d. Removal from Leadership position.
 - e. At the end of the suspension period, the Key 3 shall convene with the adult(s) to determine whether the adult is prepared to re-join the troop as a parent role only.
 - 4. Level 4:
 - a. If it occurs during an event, the adult will be sent home by the Scoutmaster or Supervising Adult Leader.
 - b. Any fees paid to attend any event are nonrefundable.
 - c. The Key 3 will be notified that a Level 4 consequence has been recommended.
 - d. The Key 3 should make every effort to gather all the information relevant to the incident including interviewing witnesses and taking statements, including the involved named adult.
 - e. Once an evaluation of the information collected by the Key 3 is completed, they will decide on the level of appropriate consequence.
 - f. If the decision by the Key 3 to reduce the Dismissal recommendation is made, the COR shall notify the adult of the outcome.

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- g. If the decision by the Key 3 to dismiss the adult is made, the COR shall notify the adult that they, and their Scout(s), have all been permanently dismissed from the Troop.
- h. This consequence will be imposed no matter whether the Scout(s) is/are facing discipline or not.

XVI. BSA Scouter Code of Conduct

The BSA Code of Conduct is not intended to cover every applicable law or provide answers to all questions that arise. Each BSA registered leader must be able to rely upon personal common sense of right and wrong. Before undertaking any action on behalf of the Boy Scouts of America or Troop 95, a registered leader or supervising adult should consider carefully whether the conduct is in the best interests of the Boy Scouts of American and complies with the spirit and letter of this code, the BSA bylaws, policies, rules, and regulations, if it follows the law.

