

CODE OF CONDUCT



**Royalton-Hartland Central School District
54 State Street
Middleport, NY 14105**

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CODE OF CONDUCT

Preface

The Schools Against Violence in Education Act (Project SAVE) was signed into the New York State Law on July 24, 2000. This code of conduct is one part of the components of Project SAVE. The most recent revision of this Policy was approved by the Board of Education on November 5, 2014.

I. INTRODUCTION

The Board of Education (“Board”) is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the Principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. Actions in school should be guided by respect and responsibility. Actions that impede student progress and the educational process will not be tolerated. Respect and responsibility by everyone will help maintain a positive learning environment and an appreciation of each individual in that environment.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this Code of Conduct (“Code”).

This Code of Conduct, unless indicated, applies to all students, school personnel, parents and other visitors when on school property, attending a school function or as part of transportation service.

II. DEFINITIONS

For purposes of this Code, the following definitions apply:

Color means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

Controlled substance is a drug or other substance or substances having the appearance of a drug identified in certain provisions of the federal Controlled Substances Act specified in both federal and state laws and regulations applicable to this policy.

Cutting class is defined as an “unexcused” absence. (See Attendance Policy – for procedures for an Unexcused Absence)

Cyberbullying includes, but is not limited to, the following misuses of technology (i.e., cell phones, computers and /or the internet): harassing, teasing, intimidating, threatening, terrorizing, maligning and/or defaming another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings (including blogs). (Per Board policy #7552, *Bullying/Cyberbullying: Peer Abuse in the Schools*).

Disability means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law Section 11[4] and Executive Law Section 292[21]).

Disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom or any school employee's authority on school property.

Employee means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law Section s11[4] and 1125[3]).

Ethnic Group means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

Gender means actual or perceived sex and includes a person's gender identity or expression (Education Law Section 11[6]).

Harassment means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law Section 11[7]).

Hearing is a formal meeting held in compliance with Section 3214 of the New York State Education Law.

Interim Alternative Educational Setting (IAES) (as it relates to children with disabilities) means a temporary educational placement for a period of up to 45 days, other than a student's current placement. This alternative placement enables the student to continue to progress in the general curriculum and to receive appropriate services and modifications as described in the student's individual educational program (IEP). The alternative placement and related services are designed to prevent the inappropriate behavior from recurring.

Illegal drugs are the unlawful possession or the unlawful use of controlled substances in an illegal manner.

National Origin means a person's country of birth or ancestor's country of birth.

Parent is the biological, adoptive or foster parent, guardian or person in a parental relation to a student.

PINS is a "person in need of supervision".

PINS Petition can be filed in Family Court against a minor under the age of 18 who is alleged to be incorrigible, truant from school, and beyond the lawful control of his/her parents. Usually the petition is filed by a parent, guardian, or school official, but the petition can also be filed by the police as well.

Plagiarism is the use or close imitation of the language and ideas of another author and representation of them as one's own original work. This includes copying from electronic sources (from the World Wide Web), even with minor alterations.

Race means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Bi-racial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.

Religion means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

Religious Practice means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

Removal from Class means a classroom teacher may remove a student from class for up to two days if the teacher determines that the student is disruptive. The removal from class applies to the class of the removing teacher only.

Removal from Class (as it relates to students with disabilities) means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in

placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself/herself or others.

School Agenda and/or Student Handbook is a booklet provided to every student grades K-12. At the primary level, the handbook provides parents with an explanation of the school day, school programs, various student expectations and guidelines. At the middle school and high school levels, the document outlines student responsibilities and is very specific about appropriate behavior and the consequences of behavior that is deemed to be inappropriate. It is imperative that parents read their child's agenda/student handbook to become familiar with the rules and behavioral expectations that are expected of all students in the district.

School Bus means every motor vehicle owned and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law Section 11[1] and Vehicle and Traffic Law Section 142).

School Property is anything that is owned/leased/rented by the Royalton-Hartland Central School District. It is anything in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary, or in or on a school bus, as defined in Vehicle and Traffic Law § 142.

School Function is any school-sponsored extra-curricular event or activity.

Sex means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)

Sexual Harassment is inappropriate visual, verbal or physical conduct directed by an adult to an adult, and adult to a student, a student to an adult or a student to a student. Four elements of sexual harassment are acts that: (1) are sexual in nature or gender based; (2) are unwanted or unwelcome; (3) are severe, persistent or pervasive; (4) interfere with ability to do work, learn or study. In accordance with the district's commitment to keep students, staff and visitors safe from harm, the Board of Education further defines "Sexual Harassment" in Board policies #6112 "*Staff-Student Relations (Fraternalization)*"; #6121 "*Sexual Harassment of District Personnel*" and #7551 "*Sexual Harassment of Students*". These policies comply with all applicable laws and will be followed in all cases of suspected sexual harassment.

Sexual Orientation means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law Section 11[5]).

Suspension, pursuant to Education Law 3214, is a severe penalty which may be imposed upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

Violent student is a student under the age of 21 who:

1. Possesses, while on school property or at a school function, a weapon or any object used to threaten or harm another student, staff member, or individual.
2. Displays, while on school property or at a school function, what appears to be a weapon or any object used to threaten or harm another student, staff member, or individual.
3. Threatens, while on school property or at a school function, to use a weapon or any other object that could cause harm to a student, staff member, or other individual.
4. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
5. Knowingly and intentionally damages or destroys school district property.
6. Commits an act of violence upon a school employee or attempts to do so.
7. Commits an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
8. Knowingly and intentionally damages or destroys personal property of any school employee or any person lawfully on school property or at a school sponsored event.
9. Engages in other conduct that is determined to be violent.

Visitor is anyone who is not a staff member or student of the school.

Weapon is a firearm as defined in 18 USC Section 921 for purposes of the Gun Free School Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, BB gun, metal knuckles, sling shot, knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray, or other noxious spray, explosive device, or any instrument, material or substance that can cause serious physical injury or death when used as a weapon.

Weight means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

III. STUDENT RIGHTS AND RESPONSIBILITIES

With every right comes a responsibility.

It is the student's right:

It is the student's responsibility:

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| <ol style="list-style-type: none"> 1) To attend school in the district in which one's parent or legal guardian resides. 2) To expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly. 3) To be respected as an individual. | <ol style="list-style-type: none"> → To attend school daily, regularly and on time, perform assignments, and strive to do the highest quality work possible and be granted the opportunity to receive a good education. → To be aware of all rules and expectations regulating student's behavior and conduct oneself in accordance with these guidelines. → To respect one another, and to treat others in the manner that one would want to be treated. |
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| 4) To express one's opinions verbally or in writing. | → To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict, the rights and privileges of others. |
| 5) To dress in such a way as to express one's personality. | → To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting. |
| 6) To be afforded equal and appropriate educational opportunities. | → To be aware of available educational programs in order to use and develop one's capabilities to their maximum. |
| 7) To take part in all school activities on an equal basis regardless of race, color, creed, religion, religious practice, sex, sexual orientation, gender, national origin, ethnic group, political affiliation, age, marital status, or disability. | → To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others. |
| 8) To have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems. | → To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate. |
| 9) To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function or activity. | → To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination. |

IV. ESSENTIAL PARTNERS

Expectations for Parents

- 1) Recognize that the education of their children is a joint responsibility of the parents or guardians and school community.

- 2) Send their children to school ready to participate and learn as required by New York State Education Law and in accordance with the District's Comprehensive Student Attendance Policy (#7110). Ensure that children attend school regularly and on time. Ensure absences are excused.
- 3) Insist their children be dressed and groomed in a manner consistent with the student dress code.
- 4) Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
- 5) Know school rules and help their children understand them to maintain a safe, orderly environment in accordance with the District *Code of Conduct*.
- 6) Convey to their children a supportive attitude towards education and the District.
- 7) Build good relationships with teachers, other parents and their children's friends.
- 8) Work with our schools to maintain open and respectful communication.
- 9) Help their children deal effectively with peer pressure.
- 10) Inform school officials of changes in the home situation that may affect student conduct or performance.
- 11) Provide a place for study and ensure homework assignments are completed
- 12) Teach their children respect and dignity for themselves, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.

Expectations for Teachers

- 1) Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
- 2) Be prepared to teach.
- 3) Demonstrate interest in teaching and concern for student achievement.
- 4) Know school policies and rules, and enforce them in a fair and consistent manner.
- 5) Communicate to students and parents:
 - a. Course objectives and requirements.
 - b. Marking/grading procedures.
 - c. Assignment deadlines.
 - d. Expectations for students.
 - e. Classroom discipline plan.
- 6) Communicate regularly with students, parents and other teachers concerning growth and achievement.

- 7) Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.
- 8) Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- 9) Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

Expectations for School Counselors

- 1) Assist students in coping with peer pressure and emerging personal, social and emotional problems.
- 2) Initiate and appropriately document teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
- 3) Regularly review with the students their educational progress, career plans and graduation requirements.
- 4) Provide information to assist students with career planning.
- 5) Encourage students to benefit from the curriculum and extracurricular programs.
- 6) Coordinate Intervention Support Services, as needed, with student, parent, Building Principal and teachers.
- 7) Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
- 8) Report incidents of discrimination and harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

Expectations for Student Support Service Personnel

- 1) Support educational and academic goals.
- 2) Know school rules, abide by them and enforce them in a fair and consistent manner.
- 3) Assist students in coping with peer pressure and emerging personal, social and emotional problems.
- 4) Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.
- 5) Maintain confidentiality about all personal information and educational records concerning students and their families.

- 6) Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems and communicate as necessary in any other manner with parents and other staff regarding student progress and needs.
- 7) Regularly review with students their educational progress and career plan.
- 8) Provide information to assist students with career planning.
- 9) Encourage students to benefit from the curriculum and extra-curricular programs.
- 10) Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
- 11) Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

Expectations for Other School Staff

- 1) Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
- 2) Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
- 3) Assist in promoting a safe, orderly and stimulating school environment.
- 4) Maintain confidentiality about all personal information and educational records concerning students and their families.
- 5) Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
- 6) Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

Expectations for Principals

- 1) Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
- 2) Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
- 3) Evaluate on a regular basis the effective safety, behavioral and school management issues related to all instructional programs.

- 4) Support the development of and student participation in appropriate extracurricular activities.
- 5) Be responsible for enforcing the Code of Conduct, ensuring that all cases are resolved promptly and fairly and, when necessary, appropriately documenting actions.
- 6) Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
- 7) Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).

Expectations for the Superintendent

- 1) Promote a safe, orderly, respectful and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
- 2) Review with District administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
- 3) Inform the School Board about educational trends, including student discipline.
- 4) Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
- 5) Work with District administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
- 6) Address all areas of school-related safety concerns.

Board of Education

- 1) Collaborate with constituency and school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, District personnel and visitors on school property and at school functions.
- 2) Approve and review at least annually the District's Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
- 3) Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.
- 4) Lead by example by conducting Board meetings in a professional, respectful and courteous manner.

V. PUBLIC CONDUCT ON SCHOOL PROPERTY

To create and maintain a safe and orderly environment on school property and at school functions, the Board of Education requires certain standards of behavior and conduct of all persons. These requirements are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this Code is to maintain public order and prevent abuse of the rights of others.

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or remove district property.
3. Disrupt the orderly conduct of classes, school programs, and other school activities.
4. Exhibit behavior that is rude, impolite, discourteous, vulgar or disrespectful, whether this behavior is on the telephone, in person, at Board of Education meetings or any other school district functions or events. If the behavior is exhibited by a staff member, the district resident or other individual shall report the inappropriate behavior to the building Principal/director or to the Superintendent of Schools.
5. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal actions, appear libelous, cause harm, obstruct the rights of others, or are disruptive to the school program.
6. Intimidate, harass, or discriminate against any person on the basis of race, color, nationality, religion, age, sex, sexual orientation or disability. The district will also not tolerate bullying or harassment of other students and/or staff members.
7. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
8. Obstruct the free movement of any person in any place to which this Code applies.
9. Violate traffic laws, parking regulations, or other restrictions on vehicles.
10. Possess, consume, sell, distribute, or exchange alcoholic beverages, controlled substances or substances that give the appearance of an illegal drug or controlled substance, or be under the influence of either on school property or at a school function.
11. Possess or use firearms or other weapons including air guns, pistols, rifles, shotguns, ammunition, explosives, box cutters, knives, gas canisters, pepper spray or other noxious spray in or on school property or any games of chance, at a school functions or any object that could cause harm to any individual except in the case of law enforcement.
12. Loiter on or about school functions.
13. Gamble on school property or at school functions.
14. Refuse to comply with any lawful order of identifiable school district officials performing their duties.
15. Willfully incite others to commit any of the acts prohibited by this code.
16. Violate any federal or state statute, local ordinance, or Board policy while on school property or while at a school function.

Persons who violate this code shall be subject to the following penalties:

1. Visitors, depending on the nature of the violation:
 - Shall be given a verbal warning and may be directed to leave the school property.
 - If the behavior is severe or persistent, the individual may lose the privilege of entering school property or attending school events for a specific period of time.
 - If conversations with school personnel are vulgar or inappropriate whether in a person-to-person conversation or on the telephone, school staff will be instructed to indicate that the conduct is offensive and, if it continues, to terminate the conversation. As a result, the communication privileges between the individual and the school will be suspended for a specified period of time.
 - If the behavior is illegal, the proper authorities will be notified to deal with the situation.
2. Students shall be subject to warnings, ejection and/or disciplinary action as the facts may warrant, including any of the penalties listed in the “Penalties” section of this Code of Conduct, in accordance with the due process of law requirements.
3. Tenured faculty members will be subject to disciplinary action as the facts may warrant in accordance with their negotiated agreement and with Education Law Section 3020-a.
4. Civil Service staff members are entitled to the protection of Civil Service Law Section 75. They shall be subject to disciplinary action as the facts may warrant in accordance with Civil Service Law Section 75.
5. Staff members other than those described in 3 and 4 shall be subject to immediate discipline warning, reprimand, suspension or dismissal as the facts may warrant.
6. Specific disciplinary measures for students are listed in the student handbook or agenda.

The Superintendent shall be responsible for enforcing the conduct required by this Code. The Superintendent may designate other district staff authorized to take action consistent with the Code.

When an administrative staff member sees an individual engaging in prohibited conduct, which in his or her judgment does not pose an immediate threat or injury to persons or property, the administrative staff will, in his or her discretion:

- Tell such individual that the conduct is prohibited; or attempt to persuade such individual to stop; or warn such individual of possible consequences for failing to stop; or invoke provisions of the Penalties section of the Code, or any combination thereof.
- If such individual refuses to stop engaging in prohibited conduct, or if such individual’s conduct poses an immediate threat of injury to persons or property, the administrative staff member will: (1) have such individual removed immediately from school property or the school function. (2) contact local law enforcement authorities to assist in removing such individual. The district shall initiate disciplinary action against any individual, as appropriate, with the Penalties section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the Code.

VI. PROHIBITED CONDUCT ON SCHOOL PROPERTY

The Board of Education expects all persons to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel, and other members of the school community and for the care of school facilities and equipment.

The best discipline is self-imposed, and all individuals must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The board recognizes the need to make its expectations for all conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Individuals who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

Students/individuals may be subject to disciplinary action, up to and including suspension from school or the school property, when they:

1. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:
 - a) Running in hallways or classrooms.
 - b) The use of playing cards, trading cards, toys or hand-held video games during instructional time.
 - c) Obstruction of vehicular or pedestrian traffic.
 - d) Engaging in any willful act that disrupts the normal operation of the school community, which may include actions that create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property.
 - e) Selling items without appropriate permission from the office or the administration.
 - f) Disorderly conduct in class, in the cafeteria, on the bus, during fire drills, on field trips, during school sports, at dismissal, at assemblies and at school functions.
 - g) Trespassing.
 - h) Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; evading the district's content filtering; or any other violation of the district's acceptable use policy.
 - i) Unauthorized use of personal electronic devices/equipment (i.e., cell phones, MP3 devices, and other personal electronic devices deemed inappropriate by the administration).
 - j) Other student behaviors that are contained in the school handbook or agenda.
 - k) Unauthorized use of a PC, laptop, tablet or e-reader or other computerized information resources through the district's computer system is prohibited.

2. Engage in conduct that is disrespectful. Examples include, but are not limited to:
 - a) Using language or gestures that are profane, lewd, vulgar or abusive.
 - b) Offensive body language or actions intended to insult.
 - c) Degrading or offensive behavior.
 - d) Making unreasonable noise.
 - e) Inappropriate displays of affection.
 - f) Lying to school personnel.

- g) Other student behaviors that are contained in the school handbook or agenda.
3. Engage in conduct that is disruptive. Examples include, but are not limited to:
- a) Being late for school or class.
 - b) Being unprepared for class.
 - c) Throwing or shooting objects.
 - d) Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
 - e) Substantially interfere with the educational process and/or the authority of any responsible staff member.
 - f) Repeatedly violates school rules.
 - g) Loitering on school grounds after school hours.
 - h) Pushing, shoving or causing harm to another person.
 - i) Inappropriate or unreasonable use of a personal cell phone or other electronic devices include, but not limited to, radios, tape players, CD players, MP3 players, I-Pods, and other personal communication devices.
 - j) A cell phone or any type of electronic device is strictly prohibited during classroom instruction, and while taking a classroom test, state assessment or any type of final examination.
 - k) Other student behaviors that are contained in the school handbook or agenda.
4. Engage in conduct that is insubordinate. Examples include, but are not limited to:
- a) Willful act of refusal or failure to comply with school or district guidelines or reasonable directions of teachers, school administrators or other school employees providing direction or instruction.
 - b) Leaving school grounds without permission.
 - c) Other student behaviors that are contained in the school handbook or agenda.
5. Engage in conduct that is violent. Examples include, but are not limited to:
- a) Conspiring with any other person to commit any of the above acts.
 - b) Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
 - c) Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
 - d) Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function. A weapon is defined as any device which can be used to inflict harm on oneself or others.
 - e) Engaging in harassing conduct, verbal threats, intimidation or abuse that reasonably causes, or could be expected to cause, a student to fear for his/her well being.
 - f) Displaying what appears to be a weapon.
 - g) Threatening to use any weapon(s).
 - h) Using weapon(s).

- i) Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
 - j) Intentionally damaging or destroying school district property.
 - k) Other student behaviors that are contained in the student handbook or agenda.
6. Engage in any conduct that endangers the safety, morals, health or welfare of self or others. Examples include, but not limited to:
- a) Lying, deceiving or giving false information to school personnel.
 - b) Stealing District property or the property of other students, school personnel or any other person lawfully on school property or while attending a school function.
 - c) Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.).
 - d) Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function.
 - e) Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender or sex.
 - f) Harassment, which includes a communication (verbal, written, electronic or graphic) and/or physical conduct based on an individual's actual or perceived race, color, religion, national origin, political affiliation, sexual orientation sex, age, marital or veteran status, use of a recognized guide dog, hearing dog or service dog or disability.
 - g) When the term "bullying" is used, even if not explicitly stated, such term includes cyberbullying, meaning such harassment or bullying that occurs through any form of electronic communication.
 - h) Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
 - i) Displaying signs of gang affiliation or engaging in gang-related behaviors that are observed to increase the level of conflict or violent behavior.
 - j) Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any District or school sponsored activity, organization, club or team.

- k) Selling, using, possessing or distributing obscene material.
 - l) Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco, tobacco products or illegal substances, or being under the influence of any of these. "Illegal substances" including, but not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, "synthetic" cannabinoids, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."
 - m) Inappropriately using, sharing, selling, attempting to sell, distributing or exchanging prescription and over-the-counter drugs.
 - n) Possessing, consuming, selling, attempting to sell, distributing, or exchanging "look-alike drugs"; or, possessing or consuming (without authorization), selling, attempting to sell, distributing or exchanging other substances such as dietary supplements, weight loss pills, etc.
 - o) Gambling and gaming.
 - p) Inappropriate touching and/or indecent exposure.
 - q) Initiating or reporting warning of fire or other catastrophe without valid cause, misusing 911, or inappropriately discharging a fire extinguisher.
 - r) Violating gender privacy when using school restroom facilities.
 - s) Other student behaviors that are contained in the student handbook or agenda.
7. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on District buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, fighting, harassment, and discrimination will not be tolerated.
8. Engage in any form of academic misconduct. Examples of academic misconduct include:
- a) Plagiarism; cheating; copying or aiding someone in copying (homework or tests); altering records; violations of the district Acceptable Use Policy for Technology, including the inappropriate use of electronic devices with photographic to text messaging capability; violation of copyright laws; violation of intellectual property rights; and assisting another student in any of the above actions.
9. Engage in any form of bullying during school hours, during school functions, or at any time on or off school property that directly affects the educational process. This includes any type of cyberbullying that takes place between students, staff or other individuals.

If an incident occurs that is related to bullying or inappropriate behavior, the incident will be addressed in the following manner.

- a) Incidents that occur during the school day should first be addressed at the level of occurrence. For example, if the incident happens in the classroom or in the hallway, the teacher should address the incident. If the teacher needs further assistance in handling the matter, he/she should seek assistance from the school specialists that are familiar with the particular needs of the student such as the school counselor, school psychologist, or administration. When all means of addressing the incident are

exhausted and the problem continues, the matter should be brought to the attention of the building administrator.

- b) Investigation of the incident shall occur by the teacher, school Principal or Assistant Principal, depending at what level the incident is handled. If additional assistance is needed, with the approval of the Superintendent of Schools, outside counsel may be used to assist with the investigation.
- c) If it can be determined that the specific incident in question was caused by, or resulted from, bullying or any type of inappropriate behavior, the individual that initiated the bullying or inappropriate behavior shall be subject to a greater degree of discipline than the other individual(s) involved in the incident on a case by case basis.

VII. STUDENT USE OF ELECTRONIC COMMUNICATION DEVICES

Students are prohibited from using or having on or in an operational mode any paging device, mobile telephone, cellular telephone, laser pointer or pen or any other type of telecommunications or imaging device during instructional time, except as expressly permitted in connection with authorized use in classrooms. While students are permitted to possess such devices during the school day, they are prohibited from using them in any manner which invades the privacy of students, employees, volunteers or visitors. Students are not permitted to use any form of information technology, including their own personal electronic devices, to intimidate, harass or threaten others. This type of harassment is generally referred to as cyberbullying. If a student violates this prohibition, then he/she is subject to discipline under this provision and/or any other provision in the District *Code of Conduct* that may be applicable to the circumstances involved. Any electronic device that is permitted on school property is encouraged to be kept on the person and in a concealed manner.

Teachers and all other Board personnel should exemplify and reinforce acceptable student dress and behavior (including possession/use of electronic devices) and help students develop an understanding of appropriate appearance and conduct in the school setting.

VIII. STUDENT DRESS CODE

The responsibility for the dress and appearance of students shall rest with individual students and parents. They have the right to determine how the student shall dress, provided that such attire does not interfere with the operation of the school or infringe upon the general health, safety and welfare of District students or employees. Teachers, administrators, and other District personnel are expected to reinforce acceptable dress standards and assist students in developing an understanding of appropriate appearance in the school setting.

A student's dress, grooming, and appearance shall:

- ✓ Be safe, appropriate, and not disrupt or interfere with the educational process.
- ✓ Not include items that are vulgar, obscene, slanderous or degrade others on account of race, color, religion, creed, national origin, gender, sexual orientation, ethnic group, physical appearance or disability.

- ✓ Not promote and/or endorse or infer the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
- ✓ Not consist of heavy chains, pocket chains, spiked necklaces/bracelets, etc. that are determined to be a safety hazard.
- ✓ Not include the wearing of hats, hoods or headwear of any type, except for bona fide religious or medical purposes.
- ✓ Not consist of swimwear (outside of the pool), or any revealing apparel (ex. sports bras). Midriffs are to be covered.
- ✓ Ensure that all undergarments, including bra straps, are completely covered with outer clothing.
- ✓ Include footwear at all times. Footwear that is a safety hazard will not be allowed.
- ✓ Backpacks, knapsacks, and book/gym bags will remain in a student's locker during the school day (middle school only).

Students who violate the student dress code may be sent to the office in order to address the concern and modify their appearance to align with the student dress code. Any student who refuses to do so may be subject to discipline, up to and including detention and/or in-school suspension. Any student who repeatedly fails to comply with the dress code may be subject to further discipline, up to and including external suspension.

Physical Education classes requiring students to change their dress must adhere to the above dress code guidelines.

A student attending school related functions (i.e. dances, athletic events, club meetings, etc.) must adhere to the above dress code guidelines.

IX. DISCIPLINARY PROCEDURES AND PENALTIES

REFERRAL PROCEDURE: Students who are having disciplinary problems in the classroom will be handled in the following manner:

The initial attempt at solving classroom behavioral problems will be made by the teacher. The teacher should attempt to modify behavior through speaking with the student, assigning his/her own detention, contacting parents, consulting the student's counselor, talking with the appropriate supervisor of instruction, or other methods to correct the student's behavior.

When the student's behavioral problems have gone beyond the scope of the teacher, the staff member will send a referral form to the appropriate administrator indicating prior interventions taken by the teacher. The administrator will then conference with the student and determine the appropriate actions necessary.

DISCIPLINARY OPTIONS

1. Verbal/Written warning – bus drivers, hall and lunch monitors, coaches, counselors, teachers, Principals, and Superintendent.

2. Written notification to parent – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, Principals, and Superintendent.
3. Detention – teachers, Principals, and Superintendent.
4. Suspension from transportation – director of transportation, Principals, and Superintendent.
5. Suspension from athletic participation – coaches, Principals, and Superintendent.
6. Suspension from social or extracurricular activities – activity directors, Principals, and Superintendent.
7. Suspension of other privileges – Principals and Superintendent.
8. Restitution of damaged or stolen goods or property.
9. Legal action through Family Court and/or law enforcement agencies.
10. Under certain circumstances, a permanent suspension may be warranted. However, permanent suspension is an extreme penalty that the Commissioner of Education has held is generally educationally unsound except under extraordinary circumstances such as where the student exhibits an alarming disregard for the safety of others and where it is necessary to safeguard the well-being of other students.

As a general rule, discipline will be progressive. This means that a student’s first violation will usually merit a lighter penalty than subsequent violations. The exception to this rule is in the case where a violent act has been committed.

- a) Verbal warning – Any member of the district staff. Staff should use discretion and respect student’s dignity and self-esteem.
- b) Removal from classroom – teachers, Assistant Principal, Principal, Superintendent.
- c) Short-term (five days or less) suspension from school – Principal, Superintendent.
- d) Long-term (more than five day) suspension from school – Superintendent, Board of Education.

PROCEDURES

1. Detention – Teachers, Principals, Assistant Principals and the Superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Parental involvement may be needed in this situation.
2. Suspension from transportation – If a student does not conduct himself/herself properly on a bus, the bus driver is expected to:
 - a) Bring such misconduct to the building Principal or designee’s attention.
 - b) Students who become a serious disciplinary problem may have their riding privileges suspended by the building Principal, Assistant Principal or the Superintendent.
 - c) In such cases, the student’s parent will become responsible for seeing that his or her child is transported to and from school safely.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law § 3214. However, the student and the student’s parent will be provided with a reasonable opportunity for an informal conference with the building Principal

or designee or district representative, at the discretion of the Superintendent of Schools, to discuss the conduct and the penalty involved.

3. Suspension from athletic participation, extracurricular activities, and other privileges.

A student subjected to a suspension from athletic participation, extracurricular activities, or other privileges is not entitled to a full hearing pursuant to Education Law § 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

4. Teacher Removal of Disruptive Students.

A disruptive student can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In many instances, the classroom teacher can control disruptive student behavior by using good management techniques.

When it is necessary to remove a disruptive student so other students can learn:

- A classroom teacher may remove a student from class for up to two days.
- Removal applies to the class of the removing teacher only.
- If the student does not pose a danger or threat to the academic process, the student must be provided with an explanation of why he/she is being removed and the student must be given an opportunity to present his/her version of the relevant events.
- If the student does pose a danger, the student should be removed immediately.
- In either case, the teacher must complete a district-established referral form, deliver it to the office, and meet with the Principal/Assistant Principal as soon as possible, but no later than the beginning of classes on the next school day.
- Within one day of the incident, the Principal or designee must notify the student's parents in writing. Where possible, notice should also be provided by telephone.
- The notice must inform the parents that they have a right to meet informally with the Principal or designee.
- The written notice to the parents must be provided by personal delivery, express mail delivery, or some way of assuring receipt of notice by the next day after the student removal.
- If, in the informal conference with parents, the student denies the charges, the student must have a chance to explain his/her version of the relevant events.
- The informal conference must be held within two days of the student's removal from class.
- The timing of the informal conference may be extended by mutual agreement of the parent, teacher, and Principal/Assistant Principal.
- The Principal or designee may overturn the removal of the student from class if (1) the charges are not supported by substantial evidence; (2) the removal is in violation of law; (3) the conduct warrants suspension from school pursuant to Education Law § 3214.
- If the Principal/Assistant Principal overturns the student removal, it must be done before the close of business on the day after the informal conference.

- Students removed from class shall be offered continued educational programming and activities until he/she returns to the classroom.
- Each teacher must keep a complete log for all cases of student removals.
- The Principal/Assistant Principal must keep a log of all student removals.
- No teacher can remove a student with a disability until it is verified with the Principal or designee that the removal will not violate the student's rights under state or federal law or regulation.

5. Suspension from School.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building Principals. However:

- Any staff member may recommend to the Superintendent or the Principal that a student be suspended.
- All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the Code of Conduct.
- All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention.
- In such cases, a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The Superintendent or Principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a) Short-term (five days or less) suspension from school

When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with prohibited conduct for five days or less pursuant to Education Law § 3214 (3), the suspending authority must:

- Immediately notify the student orally.
- If the student denies the misconduct, the suspending authority must provide an explanation on the basis for the proposed suspension.
- The suspending authority must also notify the student's parents in writing that the student may be suspended from school.
- The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension. Where possible, notice should also be provided by telephone.
- The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parent of the right to request an immediate formal conference with the Principal.
- The notice and opportunity for a formal conference shall take place before the student is suspended unless the student's presence in school poses a continuing

danger to persons or property or an ongoing threat of disruption to the academic process.

- If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for a formal conference shall take place as soon after the suspension as is reasonably practicable.
- After the conference, the Principal shall promptly advise the parents in writing of his or her decision.
- The Principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent of Schools with the Secretary to the Superintendent of Schools within ten business days of the date of the decision.
- If an appeal of the Superintendent's decision is desired, one may be made to the Board of Education within ten business days of the date of the Superintendent's decision.
- Only final decisions of the Board may be appealed to the Commissioner of Education within thirty days of the decision.

b) Superintendent's Hearing – Long-term (more than five days) suspension from school

When the Superintendent or building Principal determines that a suspension for more than five days may be warranted:

- He or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing.
- At the hearing, the student shall have the right to be represented by counsel, the right to question witnesses against him or her, and the right to present witnesses and other evidence on his or her behalf.
- The Superintendent or designee shall personally hear and conduct the hearing.
- The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her.
- A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record.
- The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline.
- The report of the hearing officer, if written by the designee, shall be advisory only, and the Superintendent may accept all or any part thereof.
- An appeal of the decision of the Superintendent may be made to the Board.
- All appeals to the Board must be in writing and submitted to the District Clerk within 30 days of the date of the Superintendent's decision.
- The Board may adopt in whole or in part the decision of the Superintendent.
- Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the Board's decision.

c) Permanent suspension

Permanent suspension is reserved for extraordinary circumstances where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

MINIMUM PERIODS OF SUSPENSION

1. Students who bring a weapon to school.

Any student found guilty of bringing a weapon onto school property, will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- (1) The student's age.
- (2) The student's grade in school
- (3) The student's prior disciplinary record.
- (4) The Superintendent's belief that other forms of discipline may be more effective.
- (5) Input from parents, teachers and/or others.
- (6) Other extenuating circumstances.

The Superintendent is required to refer the following students to the county attorney (or the county presentment agency if not the county attorney) for a juvenile delinquency proceeding before the Family Court:

- (1) Any student under the age of 16 who is found to have brought a weapon to school, or
- (2) Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law.

The Superintendent is required to refer students over the age of 16 or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities. A student 14 or 15 years old who possesses a firearm, machine gun or loaded firearm (as defined in Section 265.00 of the Penal Law) on school grounds (as defined in Section 220.00 (14) of the Penal Law) qualifies for juvenile offender status under Section 1.20 of the Criminal Procedure Law.

A student with a disability may be suspended only in accordance with the requirements of state and federal law.

Note: *Calendar year is defined as January – December; school year July - June*

2) Students who commit violent acts other than bringing a weapon to school.

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall:

- Be subject to suspension from school for at least five days, if the proposed penalty is the minimum five-day suspension.
- The student and the student's parent will be given the same notice and opportunity for a formal conference given to all students subject to a short-term suspension.
- If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension.
- The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3) Students who are repeatedly substantially disruptive of the educational process or who repeatedly substantially interfere with the teacher's authority over the classroom.

Any student, other than a student with a disability, who engages in conduct which results in the student being removed from the classroom by teacher(s) **on four or more occasions during a semester, or three more occasions during a trimester**, will be:

- Suspended from school for at least five days, if the proposed penalty is the minimum five-day suspension.
- The student and the student's parent will be given the same notice and opportunity for a formal conference given to all students subject to a short-term suspension.
- If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension.
- The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis.
- In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension.

X. REPORTING VIOLATIONS OF THE CODE OF CONDUCT

Any teacher, staff member, parent, community member or student can report a violation of the Code of Conduct. Violations of the Code of Conduct should be handled at the level of occurrence. For example, if the incident happens in the classroom or in the hallway, the teacher should address the incident. If the teacher needs further assistance in handling the matter, he/she should seek assistance from the school specialists who are familiar with the particular needs of the student such as the school counselor or the school psychologist. If specific action is taken to assist a student by the school counselor or the school psychologist, they should always contact the parents and work with them to address the matter. When all means of addressing the incident are exhausted, and the problem continues, the matter should be brought to the attention of the building Principal. If the violation is of a district-wide nature, it must be reported to the Superintendent of Schools. The report must be in writing and signed by the reporting individual within two school days of the incident. Reports can be filed by staff, parents, or other students. The reporting individual must be a direct witness to the

violation or have direct knowledge of the incident through their children. Whenever a violation to the district's Code of Conduct is reported, a full investigation by the appropriate administrator/teacher will be conducted.

Any individual observing another individual possessing a weapon, or any object that could cause harm to an individual, alcohol or alcohol substitute, illegal substance or any substance actually having the appearance of being illegal, on school property or at a school function shall report this information immediately to a teacher, the building administrator or the Superintendent. Any weapons or any object that could cause harm to an individual, alcohol or alcohol substitute, or illegal substances or any substance actually having the appearance of being illegal, found shall be confiscated immediately followed by notification to the parent of the student/or individual involved and the appropriate disciplinary action taken, up to and including permanent suspension and referral for prosecution.

- The building Principal must notify the appropriate local law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the Principal learns of the violation.
- The notification may be made by telephone, followed by a letter mailed on the same day the telephone call is made.
- The notification must identify the student(s) and explain the conduct that violated the Code of Conduct and constituted a crime.

XI. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities are afforded certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

If the conduct of a student is related to a disability or suspected disability, the Committee on Special Education will be notified and if warranted, appropriate action shall be implemented in accordance with Board of Education Policy 7313.

XII. STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district Code of Conduct. Students are not entitled to any sort of "Miranda" –type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent, building Principals, Assistant Principals, school nurse, and district security officials to conduct searches of students and their belongings if there is reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct. An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, as long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate. Individuals, other than district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they appear to be credible and the information they are communicating relates to an immediate threat to safety.

Before searching a student or the student's belongings, the authorized school official should attempt to encourage the student to admit that he or she possesses physical evidence that violates the law or the district Code. While not required, the student may voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices, and students will be present when their possessions are being searched.

1. Student Lockers, Desks and Other School Storage Places

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places, and school officials retain complete control over them. This means that student lockers, desks, and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

2. Documentation of Searches

The authorized individuals conducting the search shall be responsible for promptly recording the following information about each search:

- a) Name, age, and grade of each student searched.
- b) Reason for the search.
- c) Name of any informants.
- d) Purpose of search (that is, what item(s) were being sought).
- e) Type and scope of search.
- f) Person conducting search and his or her title and position.
- g) Witnesses to the search.
- h) Time and location of search.
- i) Results of search (that is, what items were found).
- j) Disposition of items found.

k) Time, manner, and results of parental notification.

The building Principal or the Superintendent of Schools shall be responsible for the custody, control, and disposition of any illegal or dangerous item taken from a student. The Superintendent of Schools shall retain control of the items, unless the items are turned over to the police. The building Principal or Superintendent of Schools shall be responsible for personally delivering dangerous or illegal items to police authorities.

3. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving student only if they have:

- a) A search or an arrest warrant.
- b) Probable cause to believe a crime has been committed on school property or at a school function, or
- c) Been invited by school officials.

Before police officials are permitted to question or search any student, the building Principal or designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the parent shall be informed of the questioning or search, in writing, by the building Principal or designee as soon thereafter as possible. The building Principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

- a) They must be informed of their legal rights.
- b) They may remain silent if they so desire.
- c) They may request the presence of any attorney.

4. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm, the Board of Education has adopted policy #7530, *Child Abuse in an Educational Setting and Child Neglect/Maltreatment*. This policy complies with the law and is to be followed in all cases of suspected child abuse, neglect or maltreatment.

XIII. THE PINS PROCESS AND PETITION

What is a PINS petition? A PINS petition is a written request asking the court to decide that the child needs supervision.

Who can file a PINS petition? Most PINS petitions are filed by a parent of a child, but school officials, police officers, people injured by the child, or the Administration for Children’s Services (ACS) may also file a PINS petition.

How do I start a PINS case? Before you can start a PINS case in court, you **MUST** first work with the Family Assessment Program (FAP). You can only start a PINS case when FAP cannot help any more. To commence a PINS case, a PINS petition must be filed in the Petition Room in Family Court.

XIV. PUBLICATION, DISTRIBUTION AND REVIEW

Dissemination of Code of Conduct

The Board will work to ensure that the community is aware of this Code of Conduct by:

- 1) Providing a public hearing prior to Board approval.
- 2) Providing copies of a summary of the Code to all students, in an age-appropriate, plain-language version, at a general school assembly held at the beginning of each school year.
- 3) Making copies of the Code available to all parents at the beginning of the school year.
- 4) Providing a summary of the Code of Conduct written in plain language to all parents of District students before the beginning of the school year and making this summary available later upon request.
- 5) Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the code as soon as practicable after adoption.
- 6) Providing all new employees with a copy of the current Code of Conduct when they are first hired.
- 7) Making copies of the Code available for review by students, parents and other community members and provide opportunities to review and discuss this Code with the appropriate personnel.

Annual Review

On an annual basis, the Code of Conduct will be publicized on the district website for review by all parents and guardians. A copy of the Code will be filed in each school building where it will be available for review by an individual.

The Board of Education will review this code of conduct every year and update it as necessary. In conducting the review, the board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the code and the district's response to this code. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Public Hearing

Pursuant to Education Law Section, a school board can only approve an amended Code of Conduct after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. Furthermore, in order to comply with Education Law, any amendments need to be filed with the Commissioner no later than 30 days after adoption.