

It's a great day to be a

Bobcat

Lansing Central School District

District Code of Conduct

Readopted by LCSD Board of Education on 9/27/2021

I. Introduction

The Lansing Central School District Board of Education 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, caregivers 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. The board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. It is also our right according to New York State Education Law to impose disciplinary sanctions for incidents occurring off school property that substantially disrupt the educational process or that constitute threats of violence. To this end, the board has adopted this code of conduct. Unless otherwise indicated, this code applies to all students, school personnel, caregivers and visitors when on school property or attending a school function.

LCSD also recognizes the importance of social-emotional learning and restorative practices in addressing student behavior. According to the NYSED framework, [Social-Emotional Learning: A Guide to Whole School Systematic Implementation, March 2019](#):

“A significant factor in how every school “works” is how it addresses student misconduct. The “how” of discipline is not simply the protocols and procedures school staff follow when a behavioral incident occurs. More importantly, it is the approach the school takes when a student has violated the school’s code of conduct. The word discipline derives from the Latin word for “to teach.” Understanding discipline as a “teachable moment” is fundamental to a social emotional approach to addressing student misconduct, which seeks concurrent accountability and behavioral change. The goal of this approach is to help young people learn from their mistakes, take responsibility for their actions, and prevent a recurrence of inappropriate behaviors.

Restorative practices are strategies designed to help students better understand their behavior, how it impacts themselves and others, and ultimately to use that self- and social awareness to repair damage caused to relationships because of inappropriate behavior. Addressing student misconduct with restorative practices promotes students’ acquisition of, and practice in using, all five social emotional core competencies, since both focus on strategies and skills such as understanding and managing one’s emotions and behavior, negotiating conflict constructively, building empathy, making constructive decisions about personal behavior, and realistically evaluating the consequences of one’s behavior. Using restorative practices to help students who have engaged in inappropriate behavior is essential to making the discipline process a learning and growth experience to help our

students to do the following:

- Understand why the behavior is unacceptable and the harm it has caused;
- Understand what they could have done differently in the same situation;
- Take responsibility for their actions;
- Be given the opportunity to learn prosocial strategies and skills to use in the future; and
- Understand the progression of more stringent consequences of the behavior.

II. Definitions

For purposes of this code, the following definitions apply.

Alcohol and Illegal Substance Use/Abuse means possession, distribution, consumption, being under the influence, or sale of anything defined below as Illegal Substances.

Cyberbullying means Harassment/Bullying through any form of electronic communication. Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve, but is not limited to: sending mean, vulgar, or threatening messages or images; posting sensitive, private information about another person; pretending to be someone else in order to make that person look bad. Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District internet system or student use of personal digital devices including but not limited to: cell phones, digital cameras, personal computers, electronic tools.

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.

Discrimination means discrimination against any student be a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race, color, weight, natural hair or hairstyle, national origin, ethnic group, religion, religious practice, actual or perceived socio-economic status, family make-up, disability, sexual orientation, gender or sex.

Disruptive student means any student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

Emotional Harm that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

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 §§11[4] and 1125[3]).

Gender means a person's actual or perceived sex and includes a person's gender identity or expression.

Harassment/Bullying means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyber-bullying as defined in this Code that

- a) 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
- b) reasonably causes or would reasonably be expected to cause a student to fear for their physical safety; or
- c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- d) occurs off school property and created or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidations or abuse might reach school property.

For purposes of this definition, the terms "threats, intimidation, or abuse" shall include verbal and non-verbal actions.

Acts of harassment and bullying that are prohibited include those based on a person's actual or perceived race, color, weight, natural hair or hair style, national origin, ethnic origin, ethnic group, religion, religious practice, actual or perceived socio-economic status, family make-up, disability, sexual orientation, gender (including gender identity and expression), sex, or any other legally protected status.

Illegal Substances include, but are not limited to, alcohol, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs, and look-alikes (including but not limited to synthetic cannabinoids), prescription or over-the-counter drugs and other related paraphernalia when possession is unauthorized or such are inappropriately used or shared with others, and any product which, when misused, will result in an impaired or altered state.

Material Incident of Harassment, Bullying and/or Discrimination means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, and is the subject of a written or oral complaint to the Superintendent, Principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, actual or perceived socio-economic status, family make-up, disability, sexual orientation, gender, sex or any other legally protected status.

Caregiver means caregiver, guardian or person in caregiver relation to a student.

Possess includes carrying something on one's person, or having it located in one's belongings such as a bookbag, locker, vehicle, or other container belonging to the person.

Retaliation means the actions of an employee, student, or visitor that mistreats any person because he/she has reported, testified about, or otherwise assisted in an investigation, proceeding or hearing concerning alleged harassment or bullying or a student disciplinary matter. An individual may be found to have engaged in prohibited retaliation even if the underlying complaint is determined to be unfounded. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment or inducing a third party to take such actions and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.

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.

School Function means a school sponsored extracurricular event or activity.

School Property means 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 school; or in or on a school bus .

Sexual Orientation means actual or perceived heterosexuality, homosexuality, bisexuality, pansexuality, asexuality.

Tobacco Product means any vaping or nicotine-containing devices and accessories to such devices and any other tobacco-containing product in any form, as well as matches, lighters and other related paraphernalia. This also includes any simulated tobacco products that imitate or mimic tobacco products.

Under the Influence means A student shall be considered "under the influence" if they has used any quantity of an Illegal Substance or alcohol within a time period reasonably proximate to his/her presence on School Property, on a School Bus, in a school vehicle, or at a school-sponsored School Function and/or exhibits symptoms of such use as to lead to the reasonable conclusion of such consumption.

Violent Pupil means a student under the age of 21 who, while on school property or at a school function:

1. Attempts to commit, commits or threatens to commit an act of violence upon a school employee, student or other person lawfully on school property or at a school function.

2. Possesses a weapon.
3. Displays what appears to be a weapon.
4. Threatens to use a weapon.
5. Knowingly and intentionally damages or destroys the personal property of any student, school employee or any person lawfully on school property or at a school function.
6. Knowingly and intentionally damages or destroys school district property.

Weapon means a firearm defined in 18 USC §921 for purposes of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, chemicals, explosive or incendiary bomb, pocket, pen or other knife, ammunition, or other device, instrument, material, or substance (“Other Item”) that can cause physical injury or death when such Other Item is used to cause physical injury or death. Any “look-alikes,” fake or toy weapons, or Other Items wielded as a weapon are considered a weapon for purposes of this definition.

III. Student Rights and Responsibilities

Student Rights

The district is committed to safeguarding the rights given to all students under state and federal law. In addition, to promote a safe, supportive, healthy, orderly and civil school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of their actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex or other legally protected status.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
4. Learn in a physically and emotionally safe, healthy, supportive, orderly and civil learning environment.
5. The following “Student Bill of Rights and Responsibilities” is also presented for further clarification (on next page):

STUDENT BILL OF RIGHTS AND RESPONSIBILITIES

With every right comes a responsibility.

It is the student's right:

- 1) To attend school in the district in which one's caregiver 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.
- 4) To express one's opinions verbally or in writing.
- 5) To dress in such a way as to express one's personality.
- 6) To be afforded equal and appropriate educational opportunities.
- 7) To take part in all school activities on an equal basis regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex, or marital status.

It is the student's responsibility:

- 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 a 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.
- To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict the rights and privileges of others.
- To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or disrupt the educational process.
- To be aware of available educational programs in order to use and develop one's capabilities to their maximum.
- 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, religious practice, disability, sexual orientation, gender/gender identity or sex, 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

A. Caregivers and Persons in caregiver Relation

All caregivers and persons in caregiver relation are expected to:

1. Strengthen students' self-concept and promote confidence to learn by maintaining and supporting an environment of mutual respect and dignity for students, caregivers, support staff, administrators and teachers.
2. Recognize that the education of their child is a joint responsibility of the caregivers and the school community and use open communication to that end.
3. 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 and that absences are excused.
4. Insist their children be dressed in a manner consistent with the student dress code.
5. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
6. Know school rules and help their children understand them to maintain a safe, orderly environment in accordance with the District *Code of Conduct*.
7. Convey to their children a supportive attitude toward education and the district.
8. Build good relationships with teachers, other caregivers and their children's friends.
9. Provide a place for study and ensure homework assignments are completed.
10. Work with our schools to maintain open and respectful communication.
11. Help their children deal effectively with peer pressure. Promote and encourage dealing with peer aggression and relationships in positive ways
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Lead by example, by conducting themselves in a professional, respectful and courteous manner.
14. Maintain an environment 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, which will strengthen students' confidence and promote learning.

15. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
16. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
17. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention in a timely manner.
18. 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.

B. Teachers

All district teachers are expected to:

1. Strengthen students' self-concept and promote confidence to learn by maintaining an environment of mutual respect and dignity for students, caregivers, support staff, administrators, and teachers.
2. Maintain an environment 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, which will strengthen students' confidence and promote learning.
3. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
4. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
5. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention in a timely manner.
6. Promote a physically and emotionally safe, orderly and stimulating school environment.
7. Prepare appropriate lessons that promote active teaching and learning.
8. Demonstrate interest in teaching and concern for student achievement in and outside the classroom.

9. Know school policies and rules, follow them and enforce them in a fair and consistent manner.
10. Communicate to students and/or caregivers:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan.
11. Communicate regularly with students, caregivers, administrators, support personnel and other teachers concerning student growth and achievement.
12. Lead by example; conducting themselves in a professional, respectful and courteous manner.
13. Promote and encourage dealing with peer aggression and relationships in positive ways.

C. School Counselors/Psychologists/Social Workers

Counselors, psychologists and social workers are expected to (where applicable):

1. Strengthen students' self-concept and promote confidence to learn thereby maintaining an environment of mutual respect and dignity for students, caregivers, support staff, administrators, and teachers.
2. Maintain an environment 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' confidence and promote learning.
3. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
4. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

5. 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.
6. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
7. Initiate teacher/student/counselor conferences and caregiver/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
8. At least annually review with students their educational progress and career plans.
9. Make available information to assist students with career planning.
10. Encourage students to benefit from the curriculum and extracurricular programs.
11. Lead by example; by conducting themselves in a professional, respectful and courteous manner.
12. Promote and encourage dealing with peer aggression and relationships in positive ways.

D. Support Staff

All support staff are expected to:

1. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
2. Maintain and encourage an environment 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
3. Strengthen students' self-concept and promote confidence to learn thereby maintaining an environment of mutual respect and dignity for students, caregivers, support staff, administrators, and teachers.

4. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
5. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention in a timely manner.
6. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
7. Know school policies and rules, follow them and enforce them in a fair and consistent manner.
8. Lead by example; by conducting themselves in a professional, respectful and courteous manner.
9. Promote and encourage dealing with peer aggression and relationships in positive ways.

E. Administrators

All administrators are expected to:

1. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
2. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
3. Maintain and encourage an environment 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
4. Strengthen students' self-concept and promote confidence to learn thereby maintaining an environment of mutual respect and dignity for students, caregivers, support staff, administrators, and teachers.
5. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention in a timely manner.
6. Promote a physically and emotionally safe, orderly and stimulating school environment, supporting active teaching and learning.

7. Ensure that students, staff and caregivers have the opportunity to communicate regularly with the administrators and approach the administration for redress of grievances.
8. On-going evaluation of all instructional programs.
9. Support the development of and student participation in extracurricular activities.
10. Be responsible for enforcing the code of conduct and ensure that all cases are resolved promptly and fairly.
11. Lead by example; by conducting themselves in a professional, respectful and courteous manner.
12. Promote and encourage dealing with peer aggression and relationships in positive ways.

F. Superintendent

The Superintendent is expected to:

1. Strengthen students' self-concept and promote confidence to learn thereby maintaining an environment of mutual respect and dignity for students, caregivers, support staff, administrators, and teachers.
2. Maintain an environment 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, which will strengthen students' confidence and promote learning.
3. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
4. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
5. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention in a timely manner.
6. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
7. Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
8. Inform the board about educational trends.

9. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
10. Work with district administrators in enforcing the code of conduct and ensure all cases are resolved promptly and fairly.
11. Lead by example; by conducting him/herself in a professional, respectful and courteous manner.
12. Promote and encourage dealing with peer aggression and relationships in positive ways.

G. Board of Education

Members of the Board of Education are expected to:

1. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
2. Strengthen students' self-concept and promote confidence to learn thereby maintaining an environment of mutual respect and dignity for students, caregivers, support staff, administrators, and teachers.
3. Maintain an environment 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, which will strengthen students' confidence and promote learning.
4. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
5. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention in a timely manner.
7. Collaborate with student, teacher, administrator, and caregiver organizations, school safety personnel and other 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.

8. Adopt 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.
9. Lead by example; by conducting themselves in a professional, respectful and courteous manner.
10. Promote and encourage dealing with peer aggression and relationships in positive ways.
11. Provide the support necessary for the development and implementation of strong programs.
12. 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.

V. Student Dress Code

The intent of the Student Dress Code is to foster an environment that is sanitary, safe and conducive to teaching and student learning. It is also intended to provide guidance to prepare students for their role in the workplace and society.

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions, including extracurricular activities and athletics. Students and their caregivers have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. Our goal is to emulate a professional environment. As a district, we recognize that there are developmental differences within grades PreK-12 that will impact appropriate dress. Below are some guidelines which will be used to evaluate attire:

A student's dress, grooming and appearance should:

1. be safe and not disrupt or interfere with the educational process;
2. wear a top, bottom and shoes. Dresses count as both a top and bottom;
3. not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, weight, national origin, ethnic group, religion, religious practices, gender/gender identity, sexual orientation, sex, disability or other legally protected status;
4. not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities;
5. include footwear at all times; footwear that is a safety hazard will not be allowed.
6. ensure that all Physical Education clothes must fulfill the dress code requirements.

Nothing in this policy will be construed to limit the ability of students to wear clothing that allows them to express their gender identity, or to discipline students for doing so.

Each building principal or their designee shall include the dress code in the student handbook that is distributed to all students. Within each building handbook, additional developmentally appropriate guidelines may be included. Students and caregivers will be informed of any revisions to the dress code made during the school year. Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

VI. Prohibited Student Conduct

The board of education expects all students 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 students 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 student conduct while on school property or at 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. Students who violate these school rules will be required to accept the penalties for their conduct. Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:

1. Unsupervised running in hallways.
2. Horseplay that interferes with the safety of others.
3. Using language or gestures that are profane, lewd, vulgar or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act that disrupts the normal operation of the school.
6. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building or during regularly scheduled activities that may occur in the building.
7. Computer/electronic communications misuse, including, but not limited to cell phones, any unauthorized use of computers, software, or internet/intranet accounts; intentionally accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the district's acceptable use policy.
8. Unauthorized use of personal electronic devices/equipment as written in the technology acceptable use policy.
9. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system is prohibited.

B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving school or class without permission.
3. Refusing to attend assigned discipline detention.
4. Failure to comply with school rules.

C. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:

1. Threatening, attempting to commit or committing an act of violence (such as hitting, kicking, pushing, punching, and scratching) upon a student, teacher, administrator or other school employee, or any other person lawfully on school property.
2. Possessing, displaying, using or threatening to use a weapon or what appears to be 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.
3. Intentionally damaging or destroying school property or the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property.
4. Communication by any means, including oral, written or electronic (such as through the Internet, email or texting) off school property, where the content of such communication (a) can reasonably be interpreted as a threat to commit an act of violence on school property; or (b) results in material or substantial disruption to the educational environment.
5. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for their physical well-being.

D. Engage in any conduct that endangers the safety, health or welfare of others. Examples of such conduct include, but are not limited to:

1. Lying to school personnel.
2. Stealing the property of the school district, other students, school personnel or any other person lawfully on school property or attending a school function.

3. Defamation, which includes making 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, text messaging, social media or written material).
4. Discrimination, based on a person's actual or perceived race, age, sexual orientation, color, creed, national origin, ethnic group, religion, religious practice, perceived or actual socio-economic status or family make-up, sex, sexual orientation, gender/ gender identity, marital or veteran status, or disability as a basis for treating another in a negative manner on school property or at a school function.
5. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
6. Harassment/Bullying, as defined in this Code of Conduct. Bullying may be carried out repeatedly but does not have to be; once is enough. Bullying may involve, but is not limited to:
 - a. Unwanted teasing
 - b. Provoking behavior
 - c. Intimidating
 - d. Threatening
 - e. Stalking
 - f. Cyberstalking
 - g. Cyberbullying (*More Information Below*)
 - h. Physical acts and violence
 - i. Theft
 - j. Discrimination or harassment based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex, or other legally protected status.
 - k. Public humiliation including but not limited to the publishing of embarrassing or threatening photographs/videos.
 - l. Destruction, defaming or altering of school-owned or personal property.
 - m. Social exclusion
 - n. Rumor or spreading of falsehoods.
 - o. Relational aggression, including spreading gossip, using exclusion, building alliances with intent to harm others.

Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District's technologies (for example: computers, notebooks, electronic pads, internet, e-mail) or student use of personal technologies including digital devices while at school or elsewhere, such as cell phones, digital cameras, gaming consoles and/or personal computers to engage in bullying.

Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as e-mail messages, “sexting”, instant messages, text messages, digital pictures or images, video voyeurism, or Web site postings (including social networks, blogs, microblogs, etc.).

Cyberbullying that occurs off campus, that causes or threatens to cause a material or substantial disruption in the school can be addressed by school officials and students may be subject to (i) formal discipline for such off campus speech in accordance with the *District Code of Conduct*; and (ii) possible referral to local law enforcement authorities.

7. Selling, using, distributing, exchanging or possessing obscene material in printed or electronic form.
8. Using vulgar or abusive language, cursing or swearing.
9. Possessing, using, and/or distributing Tobacco Products of any kind.
10. Gambling and gaming.
11. Engaging in sexual activities, which are activities that are of, relating to, involving, or characteristic of sex, sexuality, the sexes, or the sex organs and their functions. Also, implying or symbolizing erotic desires or activity.
12. Arson
13. Extortion
14. The possession and/or use of any chemical substance or mechanical device, the purpose of which is to alter the student's state of consciousness or otherwise produce an intoxicating effect.
15. Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco products, illegal substances, or paraphernalia for use of such drugs or being under the influence of any such substances on school property or at a school function.
“Paraphernalia” includes any equipment, product, or material that is modified for making, using, or concealing alcoholic beverages, tobacco products, or illegal substances.
16. Inappropriately using, sharing, selling, attempting to sell, distributing or exchanging prescription and over-the-counter drugs.
17. Possessing or consuming (without authorization), selling, attempting to

sell, distributing or exchanging other substances such as dietary supplements, weight loss pills, etc.

18. Possessing, using or sharing prescription and over-the-counter drugs. Students must have permission from caregivers, medical doctors or building administrators in order to temporarily possess such medication.
19. Indecent exposure, that is, exposure to sight of the private parts of the body.
20. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
21. Possessing cigarette lighters, matches or other incendiary devices that could be used to start a fire or used in combination with tobacco or drug use (reference above numbers 12, 14, 16).
22. Violating gender privacy when using school restroom facilities.
23. Inappropriate touching and/or indecent exposure.
24. Any illegal acts.

E. Hazing, which is a form of harassment among students, is defined as any humiliating or dangerous activity expected of a student to join a group or be accepted by a formal or informal group, regardless of their willingness to participate. Hazing produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

Hazing behaviors include, but are not limited to, the following general categories:

- a) Humiliation: socially offensive, isolating or uncooperative behaviors.
- b) Substance abuse: abuse of tobacco, alcohol or illegal/legal drugs.
- c) Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors.

F. 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, profanity, shoving and fighting will not be tolerated.

G. Engage in any form of academic misconduct. Examples of academic misconduct include, but are not limited to:

1. Plagiarism – the unauthorized use of close imitation of the language and thoughts of another author and the representation of them as one’s own original work.
2. Cheating – to deceive or influence by fraud one’s academic product or representation. For example, to take an examination or test in a dishonest way, as by improper access to answers.
3. Copying – to make a copy of, transcribe, or reproduce another person’s academic artifact.
4. Altering records – to change academic records.
5. Accessing other users’ email accounts or network storage accounts and/or attempting to read, delete, copy, modify, and interfere with the transferring and receiving of electronic communications.
6. Violation of the District Acceptable Use Policy for technology.
7. Assisting another student in any of the above actions.

VII. Reporting Violations

All students are expected to promptly report violations of the code of conduct to a school employee or district staff. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a school employee or district staff.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner.

District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the caregiver of the student involved and the appropriate disciplinary sanction if warranted, which may include referral for prosecution and/or permanent suspension (expulsion).

A. Reporting Discrimination, Harassment and Bullying

The district will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member/administrator to whom the report is made (or the staff member/administrator who witnesses or suspects bullying/cyber-bullying behavior) shall document and take appropriate action to address the immediacy of the situation and shall promptly report the incident in accordance with the following paragraphs.

Upon receipt of a complaint (even an anonymous complaint), or if a school employee otherwise learns of any occurrence of possible conduct prohibited by this policy, the school employee shall promptly and orally notify the school principal no later than one school day after such school employee witnesses or receives the complaint or learns of such conduct. Such school employees shall also file a written report with the school principal no later than two school days after making such oral report.

After receipt of a complaint, the building principal shall lead or supervise a thorough investigation of the alleged harassing, bullying and/or retaliatory conduct. The Principal or the Principal's designee shall ensure that such investigation is completed promptly and investigated in accordance with the terms of district policy. All complaints shall be treated as confidential and private to the extent possible within legal constraints.

Based upon the results of this investigation, if the District determines that a school official, employee, volunteer, vendor, visitor and/or student has violated the District's Code of Conduct or a material incident of harassment, bullying and/or discrimination has occurred, immediate corrective action will be taken as warranted, it will take prompt action reasonably calculated to end the violation, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such violation was directed.

The Principal, Superintendent, or their designee shall notify promptly the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct. The Principal or the Principal's designee shall provide a regular report, at least once during each school year, on data and trends relating to harassment, bullying and/or discrimination to the Superintendent of Schools.

Retaliation against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination shall be prohibited.

As a general rule, responses to acts of harassment, bullying, and/or discrimination against students by students shall incorporate a progressive model of student discipline that includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline, and considers among other things, the nature and severity of the offending student's behavior(s), the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the student's behaviors had on the individual(s) who was physically injured and/or emotionally harmed. Responses shall be reasonably calculated to end the harassment, bullying, and/or discrimination, prevent recurrence, and eliminate the hostile environment.

In the event that the Principal is the alleged offender, the report will be directed to the Superintendent.

All complaints of alleged harassing, bullying and/or retaliatory conduct shall be:

1. promptly investigated in accordance with the terms of district policy;
2. forwarded to the school building's Dignity Act Coordinator for monitoring; and
3. treated as confidential and private to the extent possible within legal constraints.

Prevention is the cornerstone of the District's effort to address bullying and harassment. In order to implement this anti-bullying prevention program, the Board will designate, at its annual organizational meeting, individuals at each school to act as the Dignity For All Students Act Coordinator ("DAC"). These individuals shall 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, and sex.

The DASA Coordinators will be responsible for assisting in coordinating and enforcing the

requirements of the Dignity for All Students Act and its related policies and regulations at each school building, including but not limited to:

- Professional development for staff members;
- The complaint process; and
- Implementation of the Dignity Act's civility curriculum components.

The district's designated Dignity Act Coordinators are:

High School Principal
607-533-3020 x3100

High School Assistant Principal/ Athletic Director
607-533-3020 x3129

Middle School Principal
607-533-3020 x2120

Middle School Dean of Students
607-533-3020 x2130

Elementary School Principal
607-533-3020 x1111

Elementary School Assistant Principal
607-533-3020 x1109

VIII. Disciplinary Actions, Procedures and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School 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. Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. Repeat or multiple offenses will be handled using a higher level of discipline. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. Oral warning
2. Written warning
3. Written notification to caregiver
4. Detention
5. Suspension from transportation
6. Suspension from athletic participation
7. Suspension from social or extracurricular activities
8. Suspension of other privileges
9. In-school suspension
10. Removal from classroom Counseling (with caregiver consent)
11. Short-term (five days or less) suspension from school
12. Long-term (more than five days) suspension from school
13. Permanent suspension (expulsion) from school
14. Meditation
15. Re-teaching of expectations
16. Restorative actions

The listed consequences are advisory and, as a general rule, discipline will be progressive. However, the District may impose any level of discipline, even for a first violation, that is proportionate to the misconduct at issue.

First and foremost, it is the responsibility of the district to be proactive in its approach to dealing with potential student behavior issues. To this end, many strategies are employed. By providing appropriate levels of supervision, continuing programs that promote character development and healthy decision making including components of our health education program at all levels, Social-Emotional Learning Standards, and local character education programs, students will be provided with the skills and support necessary to prevent many behaviors before they become issues requiring disciplinary sanctions.

Procedures

The amount of due process a student is entitled to receive before a consequence is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts

surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than an oral warning, written warning, detention or written notification to their caregivers are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's caregiver will become responsible for seeing that their child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. 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 caregiver will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

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

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's caregiver 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.

3. In-school suspension

The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals, assistant principals, and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension." A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's caregiver will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

4. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can guide a student's behavior and maintain or restore order in the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain their composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or in an administrator's office; (2) sending a student to the principal's office for the remainder of the class time only; or (3) sending a student to a counselor or other district staff member for assistance. Classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the educational process. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why they are being removed and an opportunity to explain their version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why they were removed from the classroom and give the student a chance to present their version of the relevant events within 24 hours. The teacher must complete a district-established disciplinary referral form and meet with the principal or their designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the referral form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's caregivers, in writing, that the student has been removed from class and

why. The notice must also inform the caregiver that they have the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

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 student's removal at the last known address for the caregivers. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting caregivers.

The principal may require the teacher who ordered the removal to attend the informal conference if held during regular school hours. At the informal meeting the principal or the principal's designee must explain why the student was removed and give the student and the student's caregivers a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the caregiver and principal.

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

1. The claims against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law, including the district's code of conduct.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal or their designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested.

No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until they are permitted to return to the classroom.

Each teacher must keep a complete log for all cases of removal of students from their class. The principal must keep a log of all removals of students

from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from their class until they has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

5. Suspension from school

Suspension from school is a serious penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, , health or welfare of others or students who are repeat offenders.

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals. 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 as a violation of the code of conduct.

All referrals shall be made in writing unless the conditions underlying the referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member witnessing the violation of the code of conduct.

The superintendent or principal, upon receiving a 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 (5 days or less) suspension from school

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct 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 of the basis for the proposed suspension.

The suspending authority must also notify the student's caregivers 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 at the last known address for the caregivers.

Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the caregivers.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the caregivers of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the caregivers.

At the conference, the caregivers shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

The notice and opportunity for an informal 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 an informal conference shall take place as soon after the suspension is imposed as is reasonably practicable.

After the conference, the principal shall promptly advise the caregivers in writing of their decision.

b. Long-term (more than 5 days) suspension from school

When the superintendent or building principal determines that a suspension for more than five days may be warranted, they shall give reasonable notice to the student and the student's caregivers of their right to a fair hearing. Reasonable notice: more than 24 hours. Notice shall include charges against the student.

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 their behalf.

The superintendent shall personally hear and determine the

proceeding or can, in his/her discretion, designate a hearing officer to 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 to the superintendent within 24 hours of the hearing.

The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

The principal/superintendent shall advise the caregivers that if they are not satisfied with the decision of the principal and/or superintendent and wish to pursue the matter, they must file a written appeal to the Board of Education prior to commencing an appeal to the Commissioner of Education. Request for appeal must be filed in writing to the District Clerk within 30 days of the principal and/or superintendent's decision.

The Board of Education shall issue a written decision regarding the appeal.

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 within 30 days of the decision.

c. Permanent suspension (expulsion)

Permanent suspension (expulsion) is reserved for extraordinary circumstances such as where a student's behavior 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

Note: All of the violations listed as follows may warrant **more** than the minimum consequences stated here.

1. Students who bring a weapon to school:

Any student, other than a student with a disability, found guilty of bringing a gun, knife, explosive or incendiary bomb, or other dangerous weapon or instrument that appears capable of causing physical injury or death onto school property or to a school function will be subject to suspension from school for at least one calendar year. Students may also be reported to the appropriate law enforcement agency or other support agency. 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:

- a. The student's age.
- b. The student's grade level in school.
- c. The student's prior disciplinary record.
- d. Other extenuating circumstances.

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

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.

Such acts include but are not limited to:

- a. Committing acts of violence on a staff member, student or authorized visitor.
- b. Threatening to use a weapon.
- c. Intentionally and knowingly damaging personal or district property

If the proposed penalty is the minimum five-day suspension, the student and the student's caregivers will be given the same notice and opportunity for an informal 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 caregivers will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension.

The principal has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the principal 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 repeatedly substantially interfere with the teacher's authority over the classroom:

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days.

For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this code on four or more occasions during a semester.

If the proposed penalty is the minimum five-day suspension, the student and the student's caregiver will be given the same notice and opportunity for an informal 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 caregiver will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension.

The principal has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the principal may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

4. Students who are in possession of, distributing, selling or under the influence of drugs or alcohol. Also, students who are in possession of drug paraphernalia:

Any student, other than a student with a disability, who is in possession of, distributing, selling or under the influence of drugs or alcohol 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 caregiver will be given the same notice and opportunity for an informal 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 caregiver will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension.

The principal has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the principal may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

Referrals

1. Counseling

The counseling offices shall handle all referrals of students to counseling. Counselors, including the school psychologist will work with caregivers throughout the process to assist them in meeting the student's needs. Counselors may also refer students and/or families to appropriate human service agencies, as needed.

2. PINS Petitions

The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that they requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
- c. Violating § 230.00 of the Penal Law. A single violation of § 230.00 will be a sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders

The superintendent or his/her designee is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

- a. Any student under the age of 16 who is found to have brought a weapon to school, or
- b. 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 age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

IX. Remedial Responses to Violations of the Code of Conduct

Students who violate this Code may also be subject to remedial action as the facts may warrant, including but not limited to any of the measures listed below:

- a. peer support groups; re-teaching or other relevant learning or service experience;
- b. supportive intervention;
- c. behavioral assessment or evaluation;
- d. behavioral management plans, with benchmarks that are closely monitored; and/or
- e. student counseling and caregiver conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation may also be utilized. These strategies may include:

- a. school and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- b. adoption of research-based prevention and intervention programs;
- c. modification of schedules;
- d. adjustment in hallway traffic and other student routes of travel;
- e. targeted use of monitors;
- f. staff professional development;
- g. caregiver conferences;
- h. involvement of caregiver-teacher organizations; and/or
- i. peer support groups.

X. Alternative Instruction

When a student of any age is removed from class by a teacher, placed in detention, or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to ensure the provision of continued educational programming and activities for such students, which shall include alternative educational programs appropriate to individual student needs.

XI. Discipline of Students with Disabilities

The board 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 enjoy 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. This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the code of conduct, the following definitions apply.

A “suspension” means a suspension pursuant to Education Law § 3214.

A “removal” 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 or herself or others.

An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from their current educational placement as follows:
 - a. The board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student

has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.

- c. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- d. The superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days for each separate incident, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function or conduct that poses a risk of harm to the student or others, and/or the student has inflicted serious bodily injury upon another person while at school or a school function, even if the behavior triggering the placement was a manifestation of the student's disability.
 - (1) "Weapon" includes any rifle, shotgun, pistol, revolver, other firearm, knife, dangerous chemical, explosive, or any object which is not necessary for school activities and which could be used as a weapon. A weapon is defined as any instrument capable of firing a projectile, the frame or receiver of any such weapon, a firearm muffler or silencer, any experimental device, or any other instrument capable of inflicting bodily harm. "Controlled substance" means a drug or other substance identified in certain provisions of federal law.
 - (2) Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - (3) "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
 - (4) "Serious bodily injury" means bodily injury which involves a substantial risk or death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer appointed pursuant to Education Law §4404(i) may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in their current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a. for more than 10 consecutive school days; or
 - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such factors as: the length of each suspension or removal, the total amount of time the student is removed, and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

1. The district's Committee on Special Education shall:
 - a. Conduct functional behavioral assessments to determine why the student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, serious bodily injury, illegal drugs or controlled substances.

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from their

current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

- b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision may be made to suspend a student beyond 10 days in a given school year constituting a disciplinary change in placement.
2. The caregivers of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
 - a. The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
 - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
 - 1) conducted an individual evaluation and determined that the student is not a student with a disability;
 - 2) determined that an evaluation was not necessary and provided notice to the caregivers of such determination, in the manner required by applicable law and regulations. If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined

by the district, which can include suspension;

- 3) the caregiver of the student has not allowed an evaluation of the student; or
 - 4) the caregiver of the student has refused services.
3. The district shall provide caregivers with notice of suspension/removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
 4. The caregivers of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to caregivers of non-disabled students under the Education Law.
 5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
 6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
 7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in their current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in their current educational placement during such proceedings.

- b. The caregiver requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - 1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the caregivers and the district agree otherwise.
 - 2) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such a time period, they must mail a written decision to the district and the caregivers within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to law enforcement and judicial authorities

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The superintendent or his/her designee shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

XII. Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force can not reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts. The district will file all incidents of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

XIII. 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 “Miranda”-type warnings prior to being questioned by school officials, nor are school officials required to contact a student’s caregiver before questioning the student. However, school officials will inform all students of the reason for the questioning.

In addition, the board authorizes the superintendent, building principals, and the assistant principal to conduct searches of students and their belongings, or vehicle parked on school property, if the authorized school official has “reasonable suspicion” to believe that the search will result in evidence that the student violated the law or the district code of conduct.

The superintendent or building principal may delegate another employee to perform a search of a person or their belongings (i.e. coach, field trip advisor, or overnight trip advisor may need to search a person or their belongings to ensure the safety of those on the team or trip).

An authorized school official (listed above) may conduct a search of a student’s belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so 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, or vehicle parked on school property, based upon information received from a reliable informant.

District employees will be considered reliable informants.

Before searching a student or the student’s belongings or vehicle parked on school property, the authorized school official should ask the student if they possess physical evidence that he/she violated the law or the district code, and/or ask the student to 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.

A. 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, school issued electronic devices 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, other school storage places and contents therein may be

subject to search at any time by school officials, without prior notice to students and without their consent.

B. 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 students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the building principal or their designee shall first try to notify the student's caregiver to give the caregiver the opportunity to be present during the police questioning or search. If the student's caregiver cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted.

The 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:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

C. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable suspicion that a student has been abused or maltreated, the district will provide data and assistance to local child protective services workers, or members of a multi-disciplinary team accompanying such workers, who are responding to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as interviews with any child named as a victim in a report, or a sibling of that child, or a child residing in the same home as the victim.

All requests by child protective services to interview a student on school property must be made directly to the building principal or their designee. Child protective service workers and any associated multi-disciplinary team members must comply with the district's procedures for visitors, provide identification, and identify the child(ren) to be interviewed. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if they were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the caregiver's consent.

XIII. Visitors to the Schools

The Board Recognizes that the success of the school program depends, in part, on support from the larger community. The Board wishes to foster a positive climate where members of the community have the opportunity to observe the hard work and accomplishments of the students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or their designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors are expected to abide by this Code of Conduct.
3. All visitors to the school during regular school hours must report to the main office upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return to sign out in the principal's office before leaving the building.
4. Visitors attending school functions that are open to the public, such as caregiver- teacher organization meetings or public gatherings, are not required to register.
5. Caregivers or citizens who wish to observe/volunteer in a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
6. Visitors may not meet with a teacher or visit a classroom when class is in session without prior permission from the building principal.
7. Teachers are expected not to take class time to discuss individual matters with visitors.
8. Any person on school property believed to be unauthorized must be reported to the principal or their designee. District administrators have the authority to determine whether a visitor has an authorized reason for being on school property. If the visitor is judged by the administrator not to have an authorized reason, the visitor will be asked to leave. The police may be notified if the situation warrants.

XIV. Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including but not limited to caregivers, students, teachers, district personnel, and other visitors.

To create and maintain this kind of an environment, it is necessary to establish rules to regulate public conduct on school property and at school functions. Such rules, as well as consequences for violation of such rules, are contained in this Code.

The restrictions on public conduct on school property and at school functions contained in this code 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. Prohibited conduct for members of the public on school property shall include, but not be limited to the following:

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so, or endanger the safety of themselves or others.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear, or display materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Threaten, intimidate, harass or discriminate against any person on the basis of a person’s actual or perceived race, color, weight, national origin, creed, ethnic group, religion, religious practice, actual or perceived socio-economic status, family make-up, age, gender/gender identity, sexual orientation, sex, disability or other legally protected status.

6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed. No person is to be trespassing on school property without an acceptable school related purpose.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, tobacco products, illegal substances or paraphernalia, or be under the influence of any substance either on school property or at a school function.
10. Possess (see definition of "possess" p. 2) or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Using language or gestures that are profane, lewd, vulgar or abusive.
14. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
15. Commit any of the acts prohibited by this Code, or 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.

A. Penalties

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

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave they will be charged with trespassing.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.

3. Tenured faculty and tenured administrators. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Employees other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

B. Enforcement

The building principal or their designee shall be responsible for enforcing the conduct required by this code.

When the building principal or their designee sees an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the principal or their designee shall tell the individual that the conduct is prohibited and will direct the individual to stop. The principal or their designee shall also warn the individual of the consequences for failing to stop.

If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or their designee shall have the individual removed immediately from school property or the school function.

If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, 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.

XV. Standards and Procedures to Assure The Security and Safety of Students and School Personnel

The District has established a District-level school safety plan and a building-level emergency response plan for each District school, which have been developed in accordance with applicable law and regulation to assure the security and safety of students and school personnel.

XVI. Dissemination and Review

A. 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 or making available a summary of the code of conduct written in age-appropriate, plain language to all caregivers of district students before the beginning of the school year and making this summary available later upon request.
3. Providing or making available to all current teachers and other staff members a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
4. Providing or making available to all new employees a copy of the current code of conduct when they are first hired.
5. Having copies of the code available for review by students, caregivers and other community members.
6. The District Code of Conduct will be posted on the school district website.

The board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, harassment, bullying and discrimination against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

B. Review

The board of education will review an update of this code of conduct annually if 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. Before adopting any revisions to the code, the board will hold at least one public hearing at which school personnel, caregivers, students and any other interested party may participate.

The District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website, if available. The District shall file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

Board Date Approved: July 2001
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To be reviewed annually, revised as needed.

