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CODE OF CONDUCT 2023-2024

Code of Conduct

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Code of Conduct Committee

The Sullivan BOCES Code of Conduct was developed by the following committee:

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CSEA: Open

STANDARD NOTICE OF NON-DISCRIMINATION

Sullivan BOCES does not discriminate on the basis of an individual's actual or perceived race, color, creed, religion, religious practice, national origin, ethnic group, sex (including sexual harassment and sexual violence), gender, gender identity, sexual orientation (the term "sexual orientation" means heterosexuality, homosexuality, bisexuality, or asexuality), political affiliation, age, marital status, military status, veteran status, disability, weight, domestic violence victim status, arrest or conviction record, genetic information or any other basis prohibited by New York state and/or federal non-discrimination laws in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

Inquiries regarding Sullivan BOCES' non-discrimination policies should be directed to the US Dept. of Education Office of Civil Rights or:

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Table of Contents

Section	Page
I. Introduction	5
II. Dignity for all Students Act	5
III. Definitions	6
IV. Student Rights and Responsibilities	9
V. School and Classroom Conduct Rules	10
VI. Essential Partners	13
VII. Remote Learning Procedures	16
VIII. Academic Integrity Policy	18
IX Student Driving Permit	19
X Prohibited Student Conduct	19
XI. Remedial Responses	23
XII. Reporting Violations of the Code of Conduct	24
XIII. Student Dress Code	26
XIV. Removal of Disruptive Students from the Classroom	27
XV. Disciplinary Penalties, Procedures, and Referrals	29
XVI Discipline of Students with Disabilities	34
XVII Searches	35
XVIII. Corporal Punishment	37
XIX. Emergency Intervention	37
XX. Visitors of BOCES	38
XXI. Public Conduct on BOCES Property	38
XXII. Standards and Procedures to Assure the Security and Safety of Students and School Personnel	40
XXIII. Policies/Staff Development	40
XXIV. Dissemination and Review	41
XXV. Prohibition of Retaliation	42

I. Introduction

The Sullivan BOCES holds high standards for student conduct on school property, at school functions, and at school-supervised events. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity, reflective of community and workplace standards and essential to developing a strong character.

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

Unless otherwise indicated, this code applies to all students, school personnel, parents, and other visitors when on school property or attending a school function.

In summary, the purpose of this Code is to promote an orderly and safe environment that will provide students with opportunities to achieve their fullest potential and to instill in those students the responsibilities and abilities they will need to become contributing members of society.

II. Dignity for All Students Act (DASA)

The Dignity for All Students Act (DASA) effective July 1, 2012, contains similar requirements for maintaining a positive learning environment for all students and will be integrated with the district Code of Conduct. DASA specifically prohibits bullying, discrimination, and harassment by school employees and students on school property or at a school function by school employees and students based on, BUT NOT LIMITED TO, actual or perceived: race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. Also included are provisions for reporting and intervening in cases of discrimination, harassment, or bullying. Any related complaints should be brought to the attention of the building principal who also serves as the Dignity Act Coordinator (DAC) to assist in the implementation of the DASA in each school building.

Prevention is the cornerstone of the district’s effort to address bullying and harassment. In order to implement its anti-bullying prevention program, the Board will designate, at its annual organizational meeting, individuals at each school to act as the 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, sex, and any other legally protected status.

The DACs shall be employed by the District and be licensed and/or certified by the Commissioner as a classroom teacher, a school counselor, a school psychologist, a school nurse, a school social worker, a school administrator, or a supervisor or superintendent of schools.

The DACs 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
- Support of the Dignity Act’s civility curriculum components.

The DACs for each building are:

- Megan Becker, Elementary Programs
- Linda Blanton, Secondary Education
- Jeffrey Molusky, Career and Technical Education
- Adam Riehl, Rubin Pollack Education Center

III. Definitions

For the purpose of this Code, the following definitions apply:

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

"Cyberbullying" means harassment or bullying where such harassment or bullying occurs through any form of electronic communication. Cyberbullying includes, but is not limited to, the following misuses of technology: using e-mail, instant message, or any social media platform, blogs, chat rooms, pagers, cell phones, and gaming systems, to harass, threaten, isolate, or intimidate others; posting sensitive, private information about another person; pretending to be someone else in order to make that person look bad. Cyberbullying involving students may occur both on campus and off school grounds and may involve student use of the BOCES' internet system or student use of personal digital devices including but not limited to cell phones, digital cameras, personal computers, and electronic tools.

"Disability" means (a) a physical, mental, or medical impairment resulting from anatomical, physiological, genetic, or neurological conditions which prevent the exercise of a normal bodily function or are 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, disability, sexual orientation, gender or sex.

"Disruptive student" means a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

“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.

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

"Harassment" and/or “Bullying” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that either (1) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or (2)

reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition includes acts of harassment or bullying that occur:

- A. on school property; and/or
- B. at a school function; or
- C. off-school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

Such conduct shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, natural hair or hairstyle, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression), sex or any other legally protected status.

For the purposes of this definition the term "threats, intimidation, or abuse" shall include verbal and non-verbal actions. "Emotional harm" that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through the creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

Bullying includes, but is not limited to, threatening, stalking, ostracizing, or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm, including, but not limited to, intimidation through the use of epithets or slurs.

"Hazing" is a form of harassment among students 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.

"Informal conference" is an open-ended discussion of a disciplinary incident to include the student/teacher/parent/principal without the requirements of tape recording or transcription and examination of witnesses associated with a superintendent's hearing.

"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 or synthetic drugs, and look-alikes (including but not limited to synthetic cannabinoids), or any other substance containing THC, and prescription or over-the-counter drugs 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; and any paraphernalia related to such substances.

"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, 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, disability, sexual orientation, gender, sex or any other legally protected status.

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

"Principal" within the context of teacher removal of a student from class means either the principal of the building or any other administrator in the district acting in the principal's absence or at the principal's direction.

"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 the application of the same reporting, investigation, and enforcement procedures as for harassment.

"School Bus" means every motor vehicle owned by a public or governmental agency or private school 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 extra-curricular event or activity (Education Law §11[2]).

"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 (Education Law §11[1] and Vehicle and Traffic Law §142).

"Sexting" means sending, receiving, or forwarding sexually suggestive nude or nearly nude photos through text message, email, or other electronic/digital means.

"Sexual Orientation" means actual or perceived heterosexuality, homosexuality, transsexuality, or bisexuality.

"Tobacco Products" include but are not limited to cigarettes, cigars, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, cloves, bidis and kreteks, 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.

"Under the Influence" means a student who 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 Function and/or exhibits symptoms of such use as to lead to the reasonable conclusion of such consumption.

"Violent Pupil" means a student who:

1. Commits an act of violence upon a school district employee.

2. Commits an act of violence upon another student or any other person on school district property or at a school function.
3. Possesses a weapon while on school district property or at a school function.
4. Displays what appears to be a weapon while on school district property or at a school function.
5. Threatens to use a weapon while on school district property or at a school function.
6. Knowingly and intentionally damages or destroys the personal property of any person on school district property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

"Weapon" means a weapon or firearm as defined in 18 USC§ 930 and 18 USC § 921 respectively of the Gun-Free Schools Act and/or a violation of the Penal Code. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, ammunition, disguised gun, air gun, BB gun, spring 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, or another device, instrument, material or substance ("Other Item") that can cause physical injury or death when such Other Item is used to cause 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.

IV. Student Rights and Responsibilities

Rights of Students: Education in a free society demands that students be aware of their rights and learn to exercise them responsibly. To this end, students have the right:

- to be provided with an education that is intellectually challenging and relevant to the demands of the 21st century;
- to be free from discrimination, bullying, and harassment on school property or school functions including but not limited to the educational program, activities, or admission policies of their school. 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 origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender (including gender identity and expression), or any other legally protected category.
- to participate in district activities on an equal basis regardless of race, color, creed, national origin, religion, gender, disability or sexual orientation, or any other legally protected category;
- present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
- to be informed of all school rules;
- to be guided by a discipline policy that is fairly and consistently implemented, and learn appropriate behaviors for the school/work environment.

Student Responsibilities: The Board recognizes the need to specify and clearly state expectations for student conduct while on school property or while engaged in school functions, specific and clear. The rules of conduct listed below focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate school rules and/or the Code of Conduct will be required to accept the penalties for their conduct. All students have the

responsibility to:

- contribute to the maintenance of a safe and orderly school environment that is conducive to learning;
- to show respect to other persons and property;
- obey all school rules and regulations including but not limited to being familiar with and abiding by all Sullivan BOCES student conduct expectations;
- attend school every day, unless they are legally excused, and to be in class, on time and prepared to learn;
- work to the best of their ability in all educational and extracurricular pursuits and strive toward their highest level of achievement;
- respond to the direction given by teachers, administrators, and other school personnel in a respectful, positive manner;
- develop skills to control any inappropriate behavior;
- ask questions when they do not understand;
- seek help in resolving problems that will avoid disciplinary interventions; dress appropriately for the academic setting (i.e.: sneakers for physical education, uniforms for Career & Technical Education classes);
- accept responsibility for their actions;
- actively discourage inappropriate behavior of other students and report any incidents to the administration;
- conduct themselves as representatives of the Sullivan BOCES programs when participating in or attending school-sponsored extracurricular events, and hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

V. School and Classroom Conduct Rules

A. All Staff

Expectations for appropriate student behavior should be maintained and upheld by all staff in all locations. All staff shall be responsible for the early identification of student behavioral problems, alerting appropriate administration officials in a timely fashion, and for the referral of the student to his counselor or the child-study team when ordinary discipline measures do not seem to be effective.

The Dignity Act emphasizes the importance of tolerance and respect for others by students and staff alike. Therefore, all members of the school community, including essential partners such as superintendents, school board members, parents, students, teachers, guidance counselors, principal/administrators, support staff, and other school personnel have particularly important roles to play in its implementation.

Maintaining acceptable student behavior is the business of every District employee, including all principals, teachers, aides, cafeteria workers, custodians, secretaries, and any other staff members; it is not just the business of the classroom teacher or the Principal/Supervisor to discipline students. All staff are responsible to help students select appropriate behavior patterns. Staff have the right to make a reasonable request(s) of a student and/or to question a student. Further, as they carry out their

responsibilities to ensure the safety and well-being of everyone, they may request that a student do something contrary to the student's wishes. It is the student's obligation to comply with a request. Failure to follow such directions may be considered insubordination and subject to a range of penalties, including the possibility of suspension.

Consequences used by the faculty and staff may include, but are not limited to;

- verbal warnings or reprimands;
- written warnings or reprimands;
- requests for parent conferences;
- requests for conferences with guidance counselors, coaches, advisors, and/or administration;
- removal from class to the reorientation room;

Infractions that require more serious consequences are used only by the administration, e.g.;

- permanent removal (expulsion) from class;
- in-school suspension;
- suspension from school;
- petition to Family Court
- Alternative educational programs;
- expulsion from school; and
- other options created to elicit positive behavioral outcomes.

When students engage in misconduct while on the BOCES-sponsored bus or at any BOCES-sponsored activity, whether on or off campus, they will be subject to consequences. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of the 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 on school property. Students waiting for buses when not on school property are expected to conduct themselves in accordance with the district's Code of Conduct. It is the **home school district that is responsible** for inappropriate bus behavior and/or consequences in that situation.

A. Teachers

All teachers have devised a clear set of classroom management and behavior guidelines and expectations. These rules have the full support of the administration and are compatible with District policy. During the first few class sessions of each year and/or semester, these expectations will be reviewed with all assigned students and, when appropriate, given to the class in written form.

Such guidelines will include (but will not be limited to) classroom attendance, student preparation for class, a homework policy (which is consistent with District guidelines), participation in class, rules of common courtesy, assignment of seats, and a range of consequences for violations of classroom policies and expectations.

Teachers shall work closely with parents to establish a wholesome relationship between home and school by sending communications home regularly and promptly.

B. Counselor

School counselors play an important role in the education of students. In view of this responsibility, counselors:

- assist students in coping with peer pressure and emerging personal, social, and emotional problems;
- initiate and participate in parent/teacher/student conferences, as necessary, as a way to resolve problems;
- work closely with parents to establish a wholesome relationship between home and school by sending communications home regularly and promptly;
- regularly review with students their educational progress and career plans;
- provide information to assist students with career planning; and
- advise students, and provide strategies so that students may fully participate and benefit from the curriculum and extracurricular programs.

C. Building Administrators

As the educational leaders of the school, the administrators set the disciplinary climate for the school. Therefore, they:

- seek to develop a sound and healthful atmosphere of mutual respect within the school;
- evaluate the program of instruction in the school to achieve a meaningful educational program;
- help the staff evaluate their own procedures and attitudes in relation to the interactions within their classrooms;
- provide teachers with strategies to relieve serious problems as soon as possible and support all building personnel in maintaining appropriate and effective discipline;
- communicate discipline issues with staff as appropriate;
- work closely with parents to establish a wholesome relationship between home and school by sending communications home regularly and promptly;
- establish necessary building security;
- assume responsibility for the dissemination and enforcement of the District's discipline policy and insure that all cases are resolved promptly; and
- enforce this code in a consistent manner and in coordination with teachers and counselors.

D. District Superintendent

As the Chief Executive Officer of the school district and the educational system, it shall be the responsibility of the District Superintendent to:

- take such steps as are necessary to develop, publicize and carry out the rules and regulations for students;
- work with the Principals, law enforcement officials, and other agencies to make certain that

the rules and responsibilities of each are understood and to make plans for cooperative working arrangements;

- consider and act upon recommendations for suspensions in keeping with the policy of the Board, and this Code;
- review with each Principal the policies of the Board and state laws relating to discipline;
- listen and react to the view of the total community;
- inform the Board of educational trends relating to discipline;
- provide for the development of innovative educational programs which may help to minimize problems of misconduct and which may be sensitive to the needs of the faculty;
- make themselves available to each Principal, advising on serious discipline matters and support the Principal so long as the latter has acted in accordance with this Code, the disciplinary policies of the school district, and the laws of the State of New York.

E. Board of Education

The primary task of the Board is to establish school district policy. In this regard, it shall be the responsibility of the Board to:

- adopt and support a clearly defined discipline policy (this Code of Conduct) for the school district;
- approve a procedure for hearing appeals relating to disciplinary action which will protect the rights of all parties in the action;
- listen and react to the views of the total community; and
- annually review the discipline policy (this Code of Conduct) of the school district.

VI. Essential Partners

Providing a safe and orderly school environment involves a partnership of parents and school personnel. The following are the expectations of each partner:

A. Parents:

All parents are expected to:

- recognize that the education of their children is a joint responsibility of the parent, school, and community;
- send their children to school ready to participate and learn;
- ensure that their children attend school regularly and on time;
- ensure absences are legitimate and necessary;
- insist their children be dressed and groomed in a manner consistent with the student dress code;
- help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment;
- know school rules, their children's rights, and responsibilities as expressed in this code,

and help them to understand those responsibilities;

- convey to their children a supportive attitude toward education and the Sullivan BOCES programs;
- foster good relationships through communication with teachers, other parents, and their children's peers;
- help their children deal effectively with peer pressure;
- inform school officials of changes in the home situation that may affect student conduct or performance including changes in phone number, address, or emergency contacts; and
- provide a place for learning and ensure homework assignments are completed.

B. All BOCES Administrators, Instructional, Non-Instructional, and Support Staff:

All staff members play an important role in the education of our students. In view of this responsibility they must:

- promote a climate of mutual respect and dignity which will strengthen each student's positive self-image;
- teach the common courtesies by precept and example;
- treat students in an ethical and responsible manner;
- guide students to reach their maximum potential;
- demonstrate desirable standards of behavior through personal example;
- report violations of the Code of Conduct at the appropriate level;
- comply with policy and procedures regarding confidential information;
- As per the *Dignity Act*:
 - Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students' confidence and promote learning.
 - Confront issues of bullying, 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.
 - Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
 - Report incidents of bullying, discrimination, and harassment that are witnessed or otherwise brought to a teacher's attention in a timely manner.

C. Teachers

In addition to the responsibilities of all BOCES staff members, teachers must:

- plan and conduct instruction that will make learning challenging and stimulating;
- utilize classroom routines that contribute to the total instructional program and to the student's development of civic responsibility;

- distinguish between minor student misconduct best handled by the teacher and major problems requiring the assistance of the administrator;
- explain and interpret the discipline code to students;
- communicate regularly with students, parents, and other teachers concerning growth and achievement; and
- communicate to students and parents the following:
 - course objectives and requirements
 - marking/grading procedures
 - assignment deadlines
 - expectations for students
 - classroom discipline plan
 - students' rights and responsibilities

D. District Superintendent

- Promote a safe, orderly, and stimulating school environment, supporting teaching and learning.
- Review the policies of the Board and state and federal laws relating to school operations and management with district administrators.
- Ensure that staff and parents have the opportunity to communicate with the district superintendent.
- Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
- Work with district administrators, when appropriate, in reinforcing the code of conduct to ensure that cases are resolved promptly and fairly.
- Confront issues of bullying, 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.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Report incidents of bullying, discrimination, and harassment that are witnessed or otherwise brought to the District Superintendent's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
- Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

E. Board of Education

- Collaborate with student, teacher, administrator, and parent organizations. School Resource Officer and BOCES personnel to develop a code of conduct that clearly defines expectations for the conduct of students, BOCES personnel, and visitors on BOCES property and at BOCES functions.

- Adopt, review at least once a year, and modify as appropriate, the district’s code of conduct.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Report incidents of bullying, discrimination, and harassment that are witnessed or otherwise brought to the board member’s attention by the building administrator and/or Dignity Act Coordinator in a timely manner.
- Maintain a climate of mutual respect and dignity, which will strengthen each student’s self-concept and promote confidence to learn.

VII. Remote Learning Procedures

Sullivan BOCES students receiving remote instruction are subject to all existing District policies regarding student conduct. These Remote Learning Procedures provide additional guidance for students when they are online. These Procedures are in place to protect students and staff members. Remote learning is an extension of the school and must be practiced in a responsible, safe, efficient, ethical, and legal manner. Parents/guardians are expected to monitor online behavior and teach responsible Internet usage.

These Procedures do not supersede or replace the Sullivan BOCES Computer Use in Schools Policy.

A. Remote Learning Commitments

As a parent/guardian of a Sullivan BOCES student, I will read and review this document with my child.

B. Parent/Guardian Responsibilities

- Will provide a distraction-free learning environment.
- Will ensure that students attend class at the assigned time daily.
- Supervise and monitor their student’s progress throughout the duration of the school year.
- Support Academic Integrity.
- Encourage the student to manage their time in an effective way.
- Communicate with the teacher concerns about the child’s performance or behavior.

C. Student Responsibilities

- Communicate with teachers via email about questions and concerns on information being presented or assignments being assigned (high school students only).
- Will attend and participate in class during the assigned time. Teachers will be providing specific details for their individual classes.
- Will follow the Code of Conduct and class expectations.
- Will find a place during the online class assigned time that is distraction-free (to the best of their ability). Students may be asked to turn their cameras on at times during remote instruction. Specific instructions will be provided by teachers.
- Will complete assignments with academic integrity.

- Will respect teachers and classmates, and will not engage in cyberbullying or bullying of any kind.
- Will dress appropriately for class time (as if you were attending in-person class sessions).

D. School Responsibilities

- The school will keep the parent/guardian apprised of the student's progress and will initiate contact if they fall behind in their coursework.
- Daily attendance.
- Notification of infractions as part of the progressive discipline plan.

E. General Remote Learning Expectations

- Students are responsible for proper behavior during remote learning. Always use a computer in a way that shows consideration and respect.
- It is not acceptable to use obscene, profane, threatening, or disrespectful language.
- Security and safety are a priority, especially when the system involves many users. If you identify a security and/or safety problem in the school's computers and/or educational platform, notify your teacher or school administrator.
- Remote Learning correspondence is not private. Never say, write, or record anything that will earn you a consequence.
- Protect your passwords. Keep them secret from everyone except your parents.

F. Student Expectations and Progressive Discipline

- **Violations of the following general expectations will result in progressive disciplinary consequences:**
 - Recording/taking pictures of any class session, teacher, or classmates without their consent.
 - Posting/sending pictures or videos of any class session, teacher, or classmate without their consent.
 - Distributing online class access codes to individuals who are not assigned to the class.
 - Sending or posting discriminatory, harassing, or threatening messages or images.
 - Stealing, using, or disclosing someone else's code or password without authorization.
 - Copying, pirating, or downloading software and electronic files without permission.
 - Participating in the viewing or exchange of pornography or obscene materials.
 - Sending or posting messages that defame or slander other individuals.
 - Disturbing or disrupting the online learning environment.
 - Refusing to follow the rules of the specific online classroom.
 - Inappropriate dress (examples: dressed in revealing clothes, dressed in clothes with inappropriate sayings).
 - Participation in cyber-bullying and/or harassment.

- Cheating, plagiarism, or academic dishonesty.
- If students violate these expectations, the teacher may use but are not limited to the following consequences:
 - Redirection
 - After class student conference
 - Student behavior contract
 - Parent contact and/or parent conference
- If these interventions do not positively alter student choices, the student will be referred to an administrator for progressive disciplinary action which may include the following:
 - Student/Parent conference
 - Other means of correction/restorative practices
 - Possible law enforcement referral
 - Digital citizenship assignments
 - Student follow-up behavior conference with a school administrator
 - Suspension/Superintendent Hearing

VIII. Academic Integrity Policy

Sullivan BOCES values honesty and academic integrity. Therefore, we pledge to help students understand these values and their importance. Cheating includes:

- Unpermitted collaboration on assigned work, or work submitted by any student, including but not limited to papers, projects, products, lab reports, other reports, and homework.
- Using unauthorized materials (electronically on calculators or cell phones) to complete an examination or assignment.
- Plagiarism, presenting another person's work as one's own without assigning proper credit.
- Having another individual take a test or prepare an assignment, or assist in the test or assignment without approval.
- Copying from others during a test, examination, quiz, or homework.
- Violating any other specific procedures specified by the teacher.

IX. Student Driving Permit

- Students must obtain permission **prior** to driving to school.
- Permission slips are available in the CTE or BOCES main office. Students must have the signatures of the home school principal, parent/guardian, employer, teacher, and BOCES administrator.
- Students will be given permission to drive if they are employed after school, participating in a school-sponsored event, CTE Vehicle repair, or other extenuating circumstances. Permission shall be specific to the date(s) the event is held or the situation as noted on the form.
- Permission to drive shall be granted on an event-by-event or situation-by-situation basis. Verification of student employment may be requested. Students MAY NOT TRANSPORT any other student under

any circumstance. Driving privileges will be immediately terminated if this situation occurs.

- Each driving request will be reviewed by the BOCES administration on an individual-by-individual basis. Permission to drive to school is required to be renewed **at least twice a year** by a BOCES Administrator. Driving privileges may be addressed or revoked by administrative review as needed.

X. Prohibited Student Conduct

The Board of Education expects 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. Students are also expected to conduct themselves appropriately with regard to 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. Personnel who interact with students are expected to use disciplinary consequences/ penalties only when necessary and to place emphasis on the student's ability to grow in self-discipline and to learn socially acceptable behavior.

The rules of student conduct listed hereafter are intended to focus on safety and respect for the rights and property of others. Students who do not accept responsibility for their own behavior and who violate school rules will be required to accept penalties for their conduct.

Disciplinary action will be firm, fair, and consistent so as to be the most effective in changing student behavior. The staff at a school has the responsibility for taking appropriate actions when a student is involved in a situation that disrupts the learning environment of a school.

When determining the consequences, they will take the following into consideration:

1. The nature of the offense and the circumstances which led to the offense.
2. The age-appropriateness of the consequence.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers, and/or others, as appropriate.
6. The extent to which the offense interfered with the responsibility/rights/privileges/property of others.
7. The extent to which the offense posed a threat to the health and safety of others.
8. Other extenuating circumstances.

The listed sanctions below are advisory and, as a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lesser penalty than subsequent violations. In the case of students who are habitually disruptive or who frequently violate school rules, administrators have the prerogative of applying more severe penalties at any stage, including removal from class and suspension from school. The BOCES may impose any level of discipline, even for the first violation, that is proportionate to the misconduct at issue.

Although not all-inclusive, the following list of offenses on school property or at a school function and the range of consequences apply in most circumstances.

RANGE OF CONSEQUENCES FOR BEHAVIOR RELATED OFFENSES

I OPTIONS	II OPTIONS	III OPTIONS
<ul style="list-style-type: none"> • Warning/verbal reprimand • ALC • Loss of privilege • Conference with student • Communication with parent • Detention • Counseling • *Restitution 	<ul style="list-style-type: none"> • Removal from class • *Suspension <ul style="list-style-type: none"> √ In-school √ Out-of-school • *Police notification • *Removal from school property <ul style="list-style-type: none"> **Superintendents hearing 	<ul style="list-style-type: none"> • */**Alternative Placement • **Long-term suspension <ul style="list-style-type: none"> **Superintendents hearing

*Administrator action only
**Superintendent action only

OFFENSES AND CONSEQUENCES

Offense	Definition	Range of Consequences
Absence (Unlawful)	An absence for a day or any portion of a day for any reason other than those cited as lawful and/or failure to bring a note by a parent/guardian to verify a lawful absence.	I – II
Alcohol/Drug Violation	Possession, distribution, consumption, being under the influence, or sale of Illegal Substances, alcoholic beverages, energy drinks, or drug paraphernalia on school property, at a school function, on a school bus, or in a school vehicle. Over the counter medications cannot be possessed or distributed including energy drinks. Possession will be presumed if Illegal Substance(s), alcoholic beverage(s), or, drug paraphernalia is found in an area of control by the student (i.e. backpack, automobile, personal belongings)	II - III
Arson/fire	Attempting to, aiding in, or setting fire to a building or other property.	II - III
Bus Misbehavior	Any violation of bus behavior rules.	I- II
Cheating/Academic Dishonesty	Copying, plagiarizing, altering records, or assisting another in such actions.	I- III
Computer/ Electronic Communication Misuse	Any unauthorized use of computers, software, or internet/intranet account to access internet/intranet; accessing another's e-mail or an inappropriate website; misuse of a website, including the transmission of inappropriate language or images via electronic/digital devices.	I -III
Cutting class	Illegal absence from a class or school activity.	I-II
Cyberbullying	As defined in Article II above. Cyberbullying includes the use of information technology, including, but not limited e-mail, instant messages, blogs, chat rooms, pagers, cell phones, and gaming systems, to harass, threaten, isolate, or intimidate others.	I- III
Defamation	False or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group.	I -II

Destruction of Property/ Vandalism	Damage, destruction, or defacement (graffiti) of property belonging to another or the school.	II-III
Discrimination	As defined in this Code.	
Disrespect Toward Others	Inappropriate comment or physical gesture to a student, teacher, staff member, or other adult.	I -II
Disorderly Conduct	Behavior disturbing the atmosphere or order, including obstructing or restraining the authorized or lawful movement or participation of another.	I-II
Disruption – Classroom	Behavior that is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.	I -III
Disruption – School	Behavior that interferes with the safe and orderly environment of the school or school activity.	I-III
Driving/ Parking Violations	Failure to obey all state, district, and campus traffic and parking signs and rules. Obstructing vehicular or pedestrian traffic.	I-II
Failure to Serve Assigned Consequences	Failure to serve detention, suspension, or other assigned consequences.	I-II
False Alarms/Bomb Threats	Initiating a report or warning of fire, or catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.	II-III
Fighting	A hostile confrontation with physical contact involving two or more students.	II-III
Fireworks or Explosives	Possession, use, and/or threat to use a firework, smoke bomb, flare, or combustible or explosive substance.	II-III
Firearm/Weapon Possession	Possession of a firearm or weapon, as defined in this Code.	II-III
Gambling	Wagering money or property.	I-II
Harassment and/or Bullying	As defined in this Code. Bullying includes, but is not limited to, threatening, stalking, ostracizing, or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm, including, but not limited to, intimidation through the use of epithets or slurs.	I-III
Hazing	As defined in this Code.	I-III
Inappropriate Attire	Dressing in a manner that violates the Dress Code, as described in Article	I-II
Inappropriate use	Inappropriate use of educational materials or use of educational materials in a manner inconsistent with their intended use.	I-II
Indecent Exposure	Exposing the private parts of the body in a lewd or indecent manner.	I- II
Insubordination	Refusing to follow reasonable requests of teachers, staff, or administration, including failure to identify self or knowingly providing false information.	I -III

Leaving school grounds without permission	Leaving school grounds during regular school hours without written or verbal permission from parent/guardian, administrator, or someone listed on the emergency procedure card.	I -II
Littering	Failure to clean up after one's self after intentionally or carelessly discarding refuse.	I-II
Loitering	Idle presence in an area without authorization.	I -II
Obscene Material	Selling, using, or possessing obscene material.	I-II
Physical Attack on Staff, Students/Others	Assault, or aggressive physical action, directed at students, staff, or others, including a situation where a staff member is intervening in a fight or other disruptive activity.	II- III
Possession of Disruptive Items	Unauthorized possession of a sound box, laser pointer, squirt gun, water balloon, personal audio device, pepper spray or other aerosolized devices, or any other disruptive item.	I- II
Possession of Portable Electronic Communication Devices	Unauthorized possession of a pager, cellular phone, or electronic communication device.	I-II
Possession of Skateboards, Roller blades/ Scooters	Unauthorized use or unauthorized possession of a skateboard, scooter, or rollerblades on school property.	I- II
Sexting	Sending, receiving, or forwarding sexually suggestive nude or nearly nude photos through text message, email, or other electronic/digital means.	I- III
Sexual Harassment	Unwanted and inappropriate verbal, written, or physical conduct of a sexual nature directed toward another person.	I -III
Tardiness	Lateness to school or class.	I-II
Theft	Taking or obtaining property of another without permission of the owner.	II-III
Threat to Staff, Student or Other Persons	Expression, conveyed by word or action, of intent to abuse, intimidate, coerce, or injure a staff member, student, or other person.	I -III
Tobacco Violation	Possession or use of any Tobacco Product; including e-cigarettes, vapes, matches, or lighters. Possession of marijuana or any substances or devices containing THC is prohibited. This includes any form of edible containing THC. This prohibition extends to on school property, at a school function, on a school bus, or in a school vehicle.	I -II
Trespassing	Unauthorized presence on school property, including while on suspension.	I-II
Truancy	Unlawful absence without parental knowledge and/or permission.	I- II
Unacceptable Language/Vulgarity	Using vulgar or abusive language, cursing, or swearing including sexually explicit language, or use of gestures or other forms of expression that are inappropriate for school.	I -II
Unprepared	Failure to have required materials for class.	I-II

Violation of Another Student's Civil Rights	Violating another student's civil rights on school property, at a school function, or on a school bus.	I-III
Weapon Possession	Possession of a weapon, as defined in Article II above.	II- III

XI. Remedial Responses

Students who violate this Code may also be referred for remedial action as the facts may warrant, including but not limited to any of the measures listed below. These remedial responses should also be designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act. Appropriate remedial measures may include, but are not limited to:

- Peer support groups; corrective instruction or other relevant learning or service experience;
- Support intervention;
- Behavioral assessment or evaluation;
- Behavioral management plans, with benchmarks that are closely monitored; and
- Student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation can be an important tool to prevent discrimination and harassment. These strategies may include:

- Supervisory systems which empower school staff with prevention and intervention tools to address incidents of bullying and harassment;
- School and community surveys or other strategies for determining the conditions contributing to relevant behavior;
- Adoption of research-based, systemic harassment prevention programs;
- Modification of schedules;
- Adjustment in hallway traffic and other student routes of travel;
- Targeted use of monitors;
- Staff professional development;
- Parent conferences;
- Involvement of parent-teacher organizations; and
- Peer support groups.

XII. Reporting Violations of the Code of Conduct

All students are expected to promptly report violations of the code of conduct and any potential criminal activity to a teacher, guidance counselor, the building principal, or his or her designee. 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 teacher, the building principal, the principal's designee, or the district superintendent.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair, and lawful manner. District staff, including volunteers, who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct and any

potential criminal activity 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, stored in a safe, secure area, and promptly turned over to the law enforcement agency after that agency has been notified. This shall be followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

The building principal or his or her designee should immediately notify the appropriate local law enforcement agency of those code violations that may constitute a crime, and any other conduct that occurs on school property or at a school function or in travel to and from school, that substantially affects the physical, mental or emotional well-being of a student or the order, security or overall safety of the school, and, in the absence of extenuating circumstances, such notification should occur no later than the close of business the day the principal or his or her designee learns of the conduct. The notification should identify the persons involved in the conduct, the names of any victims and witnesses, and an explanation of the conduct that may constitute a crime.

Minor offenses which involve conduct such as stealing, damaging property, and physical violence that do not result in serious injuries are matters that may be handled by the administration without the assistance of law enforcement. Whenever criminal conduct occurs, school staff shall not discourage or prevent crime victims from filing a complaint with local law enforcement.

Whenever conduct involves drugs, assaults where there are serious injuries, or inappropriate sexual acts, immediate notification to law enforcement by the building principal or his or her designee should be made.

Certain acts of misconduct which occur may require the exercise of reasonable judgment by staff in consultation with the principal or district superintendent in order to determine whether referral to law enforcement officials is appropriate, or whether the matter will be handled solely through the district's Code of Conduct and student discipline system.

A. Reporting Discrimination, Harassment, and Bullying

The School Principal is the school employee charged with receiving all reports of harassment, bullying, and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying, or discrimination to any teacher, administrator, or school employee. 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/cyberbullying behavior) shall document and take appropriate action to address the immediacy of the situation and shall promptly report in accordance with the following paragraphs.

Upon receipt of a complaint (even an anonymous complaint), or if a district official 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 an oral report.

After receipt of a complaint, the School 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 verify 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 district official, employee, volunteer, vendor, visitor, and/or student has violated the district's Code of Conduct or a material incident of harassment, bullying, and/ 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 verify the safety of the student or students against whom such violation was directed.

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 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 District Superintendent.

All complaints of alleged harassing, discriminatory, 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 DAC for monitoring; and
3. treated as confidential and private to the extent possible within legal constraints.

The Principal must notify promptly the District Superintendent and the appropriate local law enforcement agency when he/she believes that any harassment, bullying, or discrimination constitutes criminal conduct.

B. Reporting Sex Crimes

If school staff members learn of child abuse in an educational setting, they shall prepare a written report of the allegations and transmit it to the school administrator. The written report from the mandatory reporter must be completed and turned in immediately upon learning of the conduct. Upon receipt of a written report of allegations of child abuse in the educational setting, the school administrator must determine if there is reasonable suspicion to believe that the abuse has occurred. Upon making such a positive determination, the report must be forwarded to the appropriate law enforcement agency.

XIII. Student Dress Code

The intent of the 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 roles 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. Students and their parents 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.

A student's dress, grooming, and appearance, including hair style/color, jewelry, make-up, and nails, shall meet the following requirements:

- Not endanger the health, safety, and welfare of self or others, not disrupt or interfere with the educational process;
- Ensure that see-through garments and undergarments are completely covered with outer clothing.
- The wearing of pajamas and slippers or gang-affiliated clothing is not allowed. The wearing of outerwear, book bags, heavy vests, layered garments, and/or headgear is not allowed. These garments must be stored in lockers while in school. Heavy jewelry, hanging pocket chains, and jewelry with spikes that can injure others are not allowed.
- Not including the wearing of hats or other headgear during the day, with the exception of religious or medical necessity. Headgear may also be allowed in CTE shop areas for purposes of uniform compliance. Headgear is defined as but not limited to bandannas, scarves, baseball hats, do-rags, winter hats, etc.
- Not include any item that is vulgar, obscene, libelous, or that denigrates another's race, color, religion, ancestry, national origin, gender/gender identity, sexual orientation, gender identity, disability, or any other legally protected status.
- Not promote and/or endorse the use of alcohol, tobacco products, or illegal substances, and/or encourage other illegal or violent activities.
- Shorts, skirts, and dresses must be even with or longer than a student's fingertips when their arms are hanging freely at their sides.
- Students must be dressed in appropriate clothing and protective equipment as required for physical education classes, participation in athletics, science laboratories, home, and career skills classes, Career & Tech, and other similar areas.
- Footwear must be worn at all times; footwear that is a safety hazard will not be allowed.
- Comply with all rules and regulations as identified in each school building handbook.

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 program administrator or his/her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year, later in the year when a student is admitted to a program, and of any revisions to the dress code made during the school year. Students who violate the 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 is deemed insubordinate. When determining the appropriate consequences and/or remedial responses for a student's refusal to comply, staff will assess the student's behavior consistent with the range of consequences and/or remedial responses set forth above in BOCES' Code of Conduct.

XIV. Removal of Disruptive Students from the Classroom by a Teacher

The district has a long-standing set of expectations for school behavior, based upon the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. These expectations apply to all members of the school community. Accordingly, teachers maintain classroom environments reflective of good management techniques, and students behave in accordance with the code of conduct. Occasionally, students exhibit disruptive behavior, which warrants removal from class by the teacher. In these cases, the following procedures apply.

A classroom teacher may remove a student from class for up to two days if the teacher determines that the student is disruptive or violent. The removal from class applies to the class of the removing teacher only. Grounds for removal of a disruptive student include but are not limited to the following:

- refusal to comply with the teacher's direction;
- excessive arguing with the teacher;
- consistent talking;
- posing a danger e.g. physical and/or verbal behavior which in any way threatens staff or students; and
- disrupting the education of others

Students will be removed for a minimum of three class periods (maximum of five) from that class only. The student will be permitted to attend all other classes. For the duration of the removal, the following conditions apply;

If the student poses an immediate danger:

1. Student is immediately removed from the office. The student is removed from the class for up to two days, not including the day of removal.
2. Teacher notifies the administrator.
3. Teacher completes Form – A (attached hereto).
4. Administrator confirms with the teacher the date/time and reason for removal.
5. Administrator confirms that the student is receiving educational instruction outside the classroom.
6. Teacher notifies the student of the reason for removal within 24 hours.
7. Person in a Parental Relationship is notified within 24 hours by the administrator.
8. Conference is held within 48 hours (if requested by a Person in a Parental Relationship) with the student, parent/guardian, administrator, and teacher.
9. Administrator makes a determination of consequences, Form – B (attached hereto).

If the student does not pose an immediate danger, the teacher will:

1. Teacher explains why. The student may respond.
2. Student is sent to the office (the office is notified by the teacher). The student is removed from the class for up to two days, not including the day of removal.

3. Teacher completes Form – A (attached hereto).
4. Administrator confirms with the teacher the date/time and reason for removal.
5. Administrator confirms that the student is receiving educational instruction outside the classroom.
6. Person in a Parental Relationship is notified within 24 hours.
7. Informal conference is held within 48 hours (if requested by a Person in a Parental Relationship) with the parent/guardian, principal, and teacher.
8. Administrator makes a determination of consequences, Form – B (attached hereto).

Principal’s responsibilities triggered by teacher removal are:

- notification of the parent within 24 hours of the teacher’s reasons for the removal;
- on request, the student/parent must be given an opportunity to discuss reasons with the principal; the teacher must attend to provide substantiation and clarification;
- if the student denies the charges, the student/parent must be given an explanation of the basis for the removal and an opportunity to present his/her version; this should take place within 24 hours of removal; and
- the principal must decide, by the close of business on the day following the opportunity to be heard by the principal, whether or not the discipline will be set aside; the principal may only set aside discipline if:
 - The charges against the student are not supported by substantial evidence;
 - The student’s removal is in violation of the law; or
 - The conduct warrants suspension and the suspension will be imposed.

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 parent. 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 parents.

If at the informal meeting, the student denies the charges, the Principal or the Principal’s designee must explain why the student was removed and give the student and the student’s parents 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 parent and Principal.

The Principal or his/her 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 he/she is permitted to return to the classroom.

The Principal and the teacher 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 his or her class until he/she 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.

Sullivan BOCES shall provide continued educational programming and activities for students with a disability who are removed from their classrooms.

XV. **Disciplinary Penalties, Procedures, and Referrals**

The amount of due process a student is entitled to receive before a penalty 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 parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

- i. Suspension from Transportation – a student is not entitled to a full hearing pursuant to Education Law 3214, however, the student and the student's parents will be provided with a reasonable opportunity for an informal conference with the program administrator or the administrator's designee to discuss the conduct and the penalty involved.
- ii. Suspension from athletic participation, extra-curricular or social activities, and other privileges – a student is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.
- iii. In-school suspension – a student is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

iv. **Suspension from School**

The Board of Education, District Superintendent, Superintendent of Schools, a program administrator, or in his/her absence, an acting program administrator, may suspend a student from school where it is determined that the student:

- Is insubordinate or disorderly, or exhibits conduct that endangers the safety, morals, health, or welfare of others;
- Exhibits a physical or mental condition(s) which endanger the health, safety, or morals of themselves or of another student; or
- Is removed from a classroom for substantially disrupting the educational process or substantially interfering with the teacher's authority in the classroom four or more times in one semester.

In addition to the statutory grounds for suspension from school for conduct or health condition, students shall also be subject to suspension based upon a violation of the specific disciplinary infractions listed in this Code of Conduct.

Sullivan BOCES will adhere to disciplinary action imposed by the student's home school district.

Suspensions of Five Days or Less

When the school official empowered to suspend a student (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.

Suspensions for up to five (5) days may be ordered by the building principal, the District Superintendent, or the Board of Education after the pupil has received oral or written notice of the charges against them.

- i. If a suspension of five days or less is determined to be the appropriate form of disciplinary action, the Principal shall immediately notify the student orally or in writing, and shall immediately notify the student's parent(s) or guardian(s) in writing that the student has been suspended from school. 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.
- ii. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of the notice within 24 hours of the suspension at the last known address(es) to the parent(s) or guardian(s). The principal shall also take steps to notify the parent or guardian by telephone of the suspension. The notice shall provide a description of the charges against the student, and the incident(s) which resulted in the suspension and shall inform the parent(s) of his or her 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 parent(s) or guardian(s).
- iii. At this conference, the parent(s) or guardian(s) shall be permitted to ask questions of complaining witnesses under such procedures as may be established by the Principal. After the conference, the Principal shall promptly advise the parent(s) or guardian(s) of his/her decision and that they may appeal the decision to the Board.
- iv. The Principal shall notify the District Superintendent of the name of each student suspended, the reason for the suspension, the evidence supporting the suspension, and the length of the suspension.

Suspensions of More than Five Days

Suspension for more than five (5) days may be ordered by the District Superintendent or the Board of Education, but only after the pupil and his parents shall have had an opportunity for a fair hearing upon reasonable notice.

- i. If the Principal determined that a suspension of more than five days is warranted he/she shall

- refer the case to the District Superintendent. If the District Superintendent agrees that a suspension of more than five days may be a potential consequence of the alleged conduct, the District Superintendent shall give reasonable notice to such student and parent(s) or guardian(s) of their right to a fair hearing and of the charges against the student.
- ii. The charges in the notice shall be sufficiently specific to advise the student and his/her counsel of the incidents which have given rise to the proceeding and will form the basis for the hearing.
 - iii. The District Superintendent may personally hear and determine the proceeding or may, at his/her discretion, designate a hearing officer to conduct the hearing. The District Superintendent/hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before them.
 - iv. At the hearing, the student shall have the right:
 - to have his/her parent(s) or guardian at the hearing;
 - to representation by counsel;
 - to question witnesses against them;
 - to testify on his/her behalf; and
 - to present other witnesses and evidence on his/her behalf.
 - v. A record of the hearing shall be maintained, but no stenographic transcript shall be required and a tape recording shall be deemed a satisfactory record.
 - vi. If the hearing is presided over by the District Superintendent, the District Superintendent shall make a determination of guilt or innocence based on competent and substantial evidence regarding whether the student participated in the conduct of which he/she is accused. Thereafter, if the District Superintendent finds the student guilty, the District Superintendent shall determine the penalty to be imposed. In assessing the penalty, the District Superintendent may consider the student's anecdotal record provided the parent(s) or guardian(s) have been notified of the District's intent to offer the anecdotal record for consideration on the issue of the penalty to be assessed. The parent(s) or guardian(s) shall be offered the opportunity to review and rebut the contents of the student's anecdotal records prior to the assessment of a penalty.
 - vii. If the hearing is presided over by a hearing officer, he/she shall make findings of fact and recommendations as to the appropriate measure of discipline to the District Superintendent. The report of the hearing officer shall be advisory only, and the District Superintendent may accept all or any part thereof.
 - viii. A parent may appeal the imposition of a long-term suspension (more than 5 days) by filing a written appeal to the Board of Education with the District Clerk within twenty (20) business days of the District Superintendent's decision. Any appeal of the decision of the District Superintendent shall be made by the Board which will make its decision solely upon the record before it. The Board may adopt in whole or in part the decision of the District Superintendent.
 - ix. The final decision of the Board of Education may be appealed to the Commissioner of Education within thirty (30) days of the date of the decision.

Minimum Periods of Suspension

1. Students who bring or possess a weapon on school property

Any student, other than a student with a disability, found guilty of bringing a weapon onto

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

- a. The student's age.
- b. The student's grade in school.
- c. The student's prior disciplinary record.
- d. The Superintendent's belief that other forms of discipline may be more effective.
- e. Input from parents, teachers, and/or others.
- f. Other extenuating circumstances.

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

2. Students who commit violent acts other than bringing or possessing a weapon on school property

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for 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 parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3. Students who are repeatedly substantially disruptive of the educational process or 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 a period of one to 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 the 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 suspension for five days or less, the student and the student's parent 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 one to five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the one to five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

Alternative Instruction

- i. Where a student of any age is removed from class by a teacher, placed in detention, or a student of compulsory education age is suspended from school pursuant to Education Law § 3214, BOCES 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 the individual student needs.
- ii. An alternative program of instruction may, at the District's discretion, be sought for any student beyond compulsory education age who presents a sincere desire to complete his/her high school education.

Revocation of Suspension

The Board may, on its own initiative, revoke the suspension of a student whenever it appears to be in the best interest of the school and the student to do so.

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 he or she 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 that 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.

Referrals to Human Service Agencies

When any student need is beyond the scope of the district's resources, a referral to appropriate human service agencies will be made. All administrators, faculty, pupil services personnel, and other support staff will serve as mandated reporters of child abuse or neglect. They will communicate these and other referrals through the principal or his/her designee.

Juvenile Delinquents and Juvenile Offenders

The District Superintendent 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 of age who qualifies for juvenile offender status under the Criminal Procedure Law § 1.20 (42).

The District Superintendent is required to refer students 16 years of age and older or any students 14 or 15 years of age who qualify for juvenile offender status to the appropriate law enforcement authorities.

Upon recommendations of staff, additional counseling services can be given to specific students when necessary.

XVI. Discipline of Students with Disabilities

At times it may be necessary to suspend, remove or otherwise discipline students with disabilities to address behavior that violates the Code of Conduct. Procedures followed for suspending, removing, or otherwise changing the educational placement of a student with a disability must be consistent with the procedural safeguards required by applicable State and Federal laws relating to students with disabilities, including but not limited to the Individuals with Disabilities Act (IDEA), Chapter 33 of Title 20 of the United States Code, Part 300 of the Regulations of the Offices of the Department of Education, Education Law Section 3214, and Part 201 of the Regulations of the Commissioner of Education.

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 laws and regulations. The BOCES shall comply with all State and Federal laws relating to students with disabilities.

CHANGE OF PLACEMENT RULE

- A. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - i. For more than 10 consecutive school days; or
 - ii. 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 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.
- B. School personnel may not suspend or remove a student with a disability if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspensions or removals as determined by school personnel unless the manifestation team has determined that the behavior was not a manifestation of such student's disability, or the student is placed in an Interim Alternative Educational Setting by the District Superintendent, as determined by the CSE, because the student:(i) inflicted serious bodily injury upon another person while at school, on school premises or at a school function;(ii) carried or possessed a weapon to or at school, on school premises, or to or at a school function; or(iii) knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school, on school premises or at a school function.

SPECIAL RULES REGARDING THE SUSPENSION OR REMOVAL OF STUDENTS WITH DISABILITIES

The District's Committee on Special Education shall arrange for a functional behavioral assessment to be conducted to determine why a student engages in a particular behavior, and develop or review a behavioral intervention plan 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 Interim Alternative Educational Setting for misconduct involving weapons, illegal drugs, controlled substances or serious bodily injury.

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

XVII. Searches

Whenever possible, student searches will be conducted in the privacy of administrative offices. If possible, students will be present when their possessions are being searched. Vehicles driven on school grounds are subject to search based on reasonable suspicion.

Student Lockers, Desks, and other School Storage Places

The rules in the Code of Conduct regarding searches of students and their belongings apply to students' lockers, desks, and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means the student lockers, desks, and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

Documentation of Search

The BOCES official such as the program administrator, school nurses, and teachers as the designee of an administrator shall be responsible for promptly recording the following information about each search:

- name, age, and grade of student search;
- reason(s) for the search;
- name of any informants (maintain confidentiality);
- purpose of search (that is, what item(s) were being sought);
- type and scope of search;
- the person conducting the search and his or her title and position;
- witnesses, if any, to the search;
- time and locations of the search;
- results of the search (that, what item(s));
- disposition of item(s) found;
- time, manner, and results of parental notification; and
- any consent to the search by the student or parent.

The program administrator or his or her designee shall be responsible for the custody, control, and disposition of any illegal or dangerous item(s) taken from a student. The program administrator or his/her designee shall retain control of the item(s) unless the item(s) are turned over to the police. The police shall be responsible for personally delivering dangerous or illegal item(s) to police authorities.

Police Involvement in Searches and Interrogation 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. The investigation should be conducted in a manner that minimizes the disruption of the school environment.

If law enforcement seeks to interrogate or remove a student, the District is required to immediately contact the student's parents or legal guardians to arrange for their presence, if possible, or obtain their

consent unless law enforcement:

1. Has a warrant for the arrest of the student;
2. Has a court order authorizing the removal or interrogation of the student; or
3. Is investigating a possible crime and law enforcement determines either:
 - a. exigent circumstances exist;
 - b. there is an immediate threat of serious physical harm, or
 - c. there is an emergency and immediate need for assistance.

School officials will defer to the police on these issues and their determinations.

The safety and welfare of the students and school staff takes precedence over any right of an individual to be present during school searches. If there is an allegation regarding a firearm, school staff should, if circumstances permit, immediately notify their School Resource Officer or local law enforcement agency. These officers, with their training and expertise, should be the ones to initiate any interview and conduct the search for the weapon.

Drug Detecting Canines - Purpose and Philosophy

To establish a school climate conducive to learning and the prevention of student drug use and abuse the BOCES may employ the services of drug-detecting canines.

Under the law, students have no reasonable expectation of privacy rights in school lockers, vehicles parked on BOCES property, desks, or other storage places with respect to school. The District Superintendent shall give notice to all students that lockers, desks, and other school storage places may be subject to inspections at any time by school officials. The District Superintendent shall also give notice to all students that lockers and other school storage places may be subject to the detection of illegal contraband by dogs.

Child Protective Services Investigations

Consistent with the BOCES' commitment to keeping students safe from harm and the obligation of school officials to report to Child Protective Services when they have reasonable cause to suspect that a student has been abused or maltreated, the BOCES will provide data and assistance to the local Child Protective Services worker(s), 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, a sibling of that child, or a child residing in the same home as the victim.

All requests by Child Protective Services (CPS) to interview a student on school property must be made directly to the program administrator or his/her 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 program administrator or his/her designee shall be responsible for:

- arranging the interview following a request; and
- 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 is immediately threatened with harm and

there is insufficient time to seek prior judicial authorization.

XVIII. 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. The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with the Commissioner's regulations.

XIX. Emergency Intervention

In situations where behavioral intervention procedures and methods are not reasonably effective, then physical intervention techniques may be used to:

- protect oneself, another student, teacher, or any person from physical injury;
- protect the property of the school or others; and/or
- 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.

XX. Visitors of BOCES

The Sullivan Board of Cooperative Educational Services (BOCES) encourages parents, community members, and other citizens to visit the BOCES programs and classrooms to observe the work of students, teachers, and other staff. However, since our facilities are places of work and learning, certain limits must be set for such visits. The building and/or facility administrator or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the BOCES programs:

- Anyone who is not a BOCES staff member or a BOCES student will be considered a visitor.
- All visitors to the instructional program must report to the office of the program administrator upon arrival at the facility. Visitors are required to bring a photo ID that will be checked by Security. 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 facility or on the BOCES grounds. The visitor must return the identification badge to the Security Desk before leaving the building.
- Visitors attending BOCES functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are required to sign in at the Security Desk and present a photo ID.
- Parents or citizens who wish to observe a classroom while instructional programs are in session are required to arrange such visits in advance with the classroom teacher(s) and program administrator so that class disruption is kept to a minimum.
- Teachers are not expected to take class time to discuss individual matters with visitors.
- Any unauthorized person on BOCES property will be reported to the program administrator or his/her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- All visitors are expected to abide by the rules for public conduct on BOCES property contained in the Code of Conduct.

XXI. Public Conduct on BOCES Property

The Board of Cooperative Educational Services (BOCES) is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of environment, it is necessary to regulate public conduct on BOCES property and at BOCES functions. For purposes of this section of the code, “public” shall mean all persons when on BOCES property or attending a BOCES function including students, teachers, and other BOCES personnel.

The restrictions on public conduct on BOCES property and at BOCES functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The BOCES recognizes that free inquiry and free expression are indispensable to the objectives of the BOCES. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on BOCES property or attending a BOCES function shall conduct themselves in a respectful and orderly manner. In addition, all persons on BOCES property or attending a BOCES function are expected to be properly attired for the purpose they are on BOCES property. Please note the dress code section herein.

A. Prohibited Conduct

No Person, either alone or with others shall:

- Intentionally injure any person or threaten to do so.
- 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.
- Disrupt the orderly conduct of classes, school programs, or other school activities.
- Distribute or wear materials on school grounds or at school functions that are obscene, overly revealing, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school environment.
- Threaten, intimidate, harass, or discriminate against any school staff member or another person (s) on the basis of a person’s actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender (including gender identity and expression), or other legally protected status.
- Enter any portion of the school premises, playing field (home or away), or other related school location without authorization, or remain in any building or facility after it is normally closed.
- Obstruct the free movement of any person in any place to which this code applies.
- Violate traffic laws, parking regulations, or other restrictions on vehicles.
- Possess, consume, sell, distribute, or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
- Possess or use firearms or 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 Board of Education (or its designee).
- Loiter on or about school property
- Gamble on school property or at school functions.
- Refuse to comply with any reasonable order of identifiable school district officials performing

their duties.

- Willfully incite others to commit any of the acts prohibited by this code.
- Violate any federal or state statute, local ordinance, or board policy while on school property or while at a school function.

B. Consequences

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

- 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 shall be subject to ejection and/or arrest.
- Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
- Tenured faculty members. 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.
- Staff members in the classified service of the civil service who are entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
- Staff members other than those described in subdivisions 4 and 5. They shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they have.

C. Enforcement

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

When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his 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 his or her 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 "Consequences" section above. In addition, the district reserves its right to pursue civil or criminal legal action against any person violating the code.

XXII. Standards and Procedures to Assure the Security and Safety of Students and School Personnel

BOCES has established a district-wide school safety plan and a building-level emergency response plan for each building, which have been developed in accordance with applicable laws and regulations to assure the security and safety of students and school personnel.

XXIII. Policies/Staff Development

BOCES currently has various policies in place which allow students the opportunity to be successful. The implementation of various policies and programs will result in fewer disciplinary problems and will help foster positive behaviors. School Programs and/or policies that foster an expansive, progressive, and positive approach to discipline:

- Special Presentations & Assemblies
- Student of the Month Awards
- Student of the marking period for CTE
- Collaboration with community-based programs
- Honor Roll
- Honors/Level Lunch
- Positive Behavior Intervention & Support (PBIS)
- Interdisciplinary activities between BOCES divisions
- Handle with Care
- Crisis Prevention Intervention
- Reorientation Room
- BOCES Career & Technical Education
- BOCES training for the high school equivalency diploma
- College Presentations/visitations
- Special counseling and psychological services
- Summer school availability
- SkillsUSA for CTE students
- School Resource Officer
- Student Leadership Council for full-day secondary students

Professional Development

BOCES is committed both philosophically and by contract to offer a wide range of in-service and staff development opportunities to all District Employees.

The available supports available to staff are listed below:

- Handle with Care
- Orientation/Induction
- Mentoring
- Observations
- Thoughtful Classroom Training
- Classroom Management Training
- Team Meetings

- Annual Programs on Harassment
- Dignity for All Students Act (DASA)

The Board will provide in-service education programs for all District staff members for the effective implementation of this Code, to promote a safe and supportive school climate while discouraging, among other things, harassment, bullying, and discrimination against students by students and/or school employees and to include safe and supportive school climate concepts in the curriculum and classroom management. In-service education programs shall also include training on the social patterns of harassment, bullying, and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex, the identification and mitigation of harassment, bullying, and discrimination, and strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings. The District 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.

The following are suggested programs that may be utilized for in-service education for all staff members for effective implementation of this Code: (1) School-oriented programs developed at the district and building level; (2) Superintendent's workshop days; and (3) faculty meetings.

XXIV. **Dissemination and Review - Dissemination of Code of Conduct**

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

- Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
- Making copies of the code available to all parents at the beginning of the school year.
- Mailing a summary of the Code of Conduct written in plain language to all parents of students attending BOCES programs before the beginning of the school year and
- Making this summary available later upon request.
- Providing all current teachers and other staff members with a copy of the code and a
- Copy of any amendments to the code as soon as practicable after adoption.
- Providing all new employees with a copy of the current Code of Conduct when they are first hired.
- Making copies of the code available for review by students, parents, and other community members.

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

The Board may appoint an advisory committee to assist in reviewing the code and the BOCES response to Code of Conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, BOCES safety personnel, and other BOCES personnel.

Before adopting any substantial revisions to the code, the Board will hold at least one public hearing at which BOCES personnel, parents, students, and any other interested party may participate.

The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

XXV. Prohibition of Retaliation

Any person having reasonable cause to suspect that a student has been subjected to discrimination, harassment, or bullying by an employee or a student, on school grounds or at a school function, who acting reasonably and in good faith, either reports such information to school officials, to the Commissioner of Education, or law enforcement authorities, or otherwise initiates, testifies, participates in, or assists in any formal or informal proceedings in connection with an investigation of alleged violation(s) of this Code of Conduct, shall have immunity from any civil liability that may arise from the making of such report or from initiating, testifying, participating in, or assisting in, such formal or informal proceedings. Relatedly, neither the BOCES, nor an employee or student thereof, shall take, request, or cause a retaliatory action against any such person who, acting reasonably and in good faith, either makes a report or initiates, testifies, participates, or assists in such formal or informal proceedings.

Form A

Teacher Report of a Disruptive Pupil

To: _____
(Building Principal)

Date: _____

From: _____
(Name of Teacher)

Building: _____

Grade/Class/: _____

Time: _____

Name of Student: _____

Classified student: ___ Yes ___ No

I am referring to you the above-named pupil who was disruptive on _____ at _____.
I have removed this student from my class because: (Describe in detail the events, specify the particular conduct, what you did, what was said by you, the pupil, and others.)

List witnesses to this event:

The student has a history of disruptive behavior: ___ Yes ___ No

If yes, have you removed this student from your class previously ___ Yes ___ No

The pupil was accompanied by an adult to the Principal's Office ___ Yes ___ No

Number of days/blocks to be removed from class: _____ (Including the day of removal)
(circle one)

Dates of removal:

___ Yes ___ NO Within 24 hours I provided the student with an explanation of the basis for the removal and allowed the pupil to informally present the pupil's version of the relevant events.

Specify what you believe would be the appropriate additional action to be taken:

___ Yes ___ No I have attached to this form the class and homework assignments to be completed by the pupil for the period of the student's exclusion from my class.

Date: _____ Signature: _____

Disruptive/Violent Student

(CIRCLE)
 Law Enforcement Contacted Yes No
 Person Called: _____
 Date/Time: _____

Form B

Building Principal Report

Student Name: _____ Date of Referral: _____ Time: _____

Teacher Name: _____ Grade/Class: _____

Removal Period: From _____ (date) to _____ (date)

Building: _____ Location: _____

The notification of the pupil's removal and reasons for removal were given to the person in the parental relationship within 24 hours of the removal by _____ on _____. (date/time)

The person in the parental relationship requested an informal conference to discuss the reasons for removal.

YES NO

Summary of Informal Conference:

Those who attended:

Offense:

Consequence(s):

_____ Date _____
 Building Principal

cc: Student file, Counselor (if appropriate), Removing Teacher, Parent