

TICONDEROGA CENTRAL SCHOOL
CODE OF CONDUCT

POLICY 5300

Adopted May 2023

TABLE OF CONTENTS

I.	Introduction	3
II.	Definitions	3
III.	Student Rights and Responsibilities	4
IV.	Roles of Students, Parents, Administrators and Teachers	4
V.	Student Dress Code	8
VI.	Recognition of Responsible Student Behavior and Accomplishments	8
VII.	Prohibitive Student Conduct	9
VIII.	Reporting Violations of Code of Conduct	10
IX.	Disciplinary Procedures and Penalties	12
X.	Student Searches and Interrogations	16
XI.	Prohibition of Corporal Punishment	17
XII.	Disciplining Students with Disabilities	17
XIII.	Procedures for Maintenance and Enforcement of Public Order	24
XIV.	Procedures for Early Identification and Resolution of Discipline Problems	25
XV.	Alternative Educational Programs	25
XVI.	Professional Staff Development Opportunities	26
XVII.	Annual Review and Implementation Procedures	26
	Appendices (for reference not part of the Policy)	27
	A. Attendance	
	B. Transportation	
	C. Athletic Code of Conduct Handbook	
	D. Concussion Management	

1. INTRODUCTION

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

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity. The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, identify the possible consequences of unacceptable conduct, and ensure that discipline is administered promptly and fairly. To this end, the Board adopts this Code of Conduct.

The Ticonderoga Central School District, in compliance with the Commissioner's Regulations, involves students, parents, teachers, administrators, school service professionals and members of the Board of Education in contributing to the development of its school Discipline Code. A committee composed of interested individuals from each of these sectors will annually review and update this plan.

It is the Committee's belief that each student should be treated as a person who can reasonably be expected to be responsible for his/her own behavior. The school administration will assist each student in this program of personal responsibility with a few sensible rules of conduct, focusing on safety and respect for the rights and property of others and consistently applied in the classrooms and throughout the school. Students who cannot accept this responsibility and violate school rules will be required to accept the penalties and more regulated supervision.

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that is viewed as fair and impartial. Therefore, before seeking outside assistance, teachers will first use all their resources to create a change of behavior in the classroom. When the teacher has made every effort to bring about positive behavioral change, and has been unsuccessful, the student will be referred to the administration. Once done, the administration assumes the role of deciding what further action will be taken.

Disciplinary action, when necessary, will be firm, fair, and consistent in order to be most effective in changing behavior. While this plan is designed to be progressive in nature, the seriousness or nature of the act may result in acceleration to the second or third phase of discipline.

Each building will construct its own Discipline Code, modeling it after the district code. The Building Principal and teaching staff will explain each Building's Discipline Code to all students on an annual basis. It will be explained to parents at the annual Open House in the fall. A copy for parents' review will be available at all times in all buildings. The continuing cooperation and assistance of parents is essential in enforcing the code.

2. DEFINITIONS

For purposes of this Code, the following definitions apply.

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

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

"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 the Ticonderoga Central School District, or in a school bus, as defined by Vehicle and Traffic Law 142.

"School function" means any school sponsored, athletic, or extra-curricular activity or event.

"Violent student" means a student under the age of 21 whom:

1. Commits an act of violence upon a school employee.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function.
3. Unlawfully possess a weapon on school property or at a school function.
4. Displays a weapon on school property or at a school function.
5. Threatens to use a weapon while on school property or at a school function.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

"Weapon" means a firearm as defined in 18 USC 921 for purposes of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause serious physical injury or death when used as a weapon.

3. STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights

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

1. Take part in all district activities on an equal basis regardless of race, weight, color, creed, national origin, ethnic group, religion, religious practice, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school policies, regulations and rules, when necessary, and receive an explanation of those rules from school personnel.

B. Student Responsibilities - All district students have the responsibility to:

1. Contribute to maintaining a safe, supportive and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by district policies, rules and regulations dealing with student conduct.

3. Attend school every day unless they are legally excused and be in class in time and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to manage anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor and sportsmanship.

4. THE ROLES OF STUDENTS, PARENTS, ADMINISTRATORS AND TEACHERS

A. Role of Students: Students are expected to:

1. Attend school daily, except when ill, and be on time for all classes.
2. Express his/her opinions and ideas in a respectful manner so as not to offend, slander, or restrict the rights of others.
3. Dress so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting.
4. Be aware of all rules and expectations regulating student behavior and conduct him/herself in accordance with these guidelines.
5. Be willing to volunteer information in disciplinary cases if he/she has knowledge of importance in such cases.
6. Take an active part in student government by running for office, or conscientiously voting for the best candidates and making his/her problems known to the representatives.
7. Be aware of available educational programs in order to use and develop capabilities to the maximum.
8. Demonstrate appreciation for the dignity and integrity of all.
9. Express views concerning operation of the school system with supporting rationale.
10. Refrain from libel and obscenity, and observe the normal rules for responsible journalism.
11. Abide by the athletic code and rules established by the District.
12. Be aware of all rules and expectations governing participation in extracurricular activities and conduct him/herself in accordance with these guidelines.
13. Be aware of the information and services available concerning drug and alcohol abuse and seek assistance in dealing with personal problems of this type when appropriate.
14. Be aware of the right to access student records and the guidelines governing such access.
15. Be aware of actions that constitute serious and dangerous wrongdoing and refrain from such acts (i.e., possession of contraband, drugs, etc.)
16. Refrain from participating in any discriminatory practices.

B. Role of Parents: Parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community and collaborate with the district to optimize their child's educational opportunities.
2. Provide for the physical needs of the student.
3. Teach the student to listen to teachers and other school personnel and obey school rules.
4. Be sure the student attends school regularly and on time; promptly report and explain absences and tardiness to the school.
5. Encourage and lead the students to develop proper study habits at home.
6. Participate in parent-teacher conferences to discuss the student's school progress and welfare.
7. Keep informed about school policies and the academic requirements of school programs.
8. Be sure the student is appropriately dressed at school and school-related activities.
9. At the elementary level, where recess is a factor, to bring daily, the warm clothing needed for being outdoors during winter months.
10. Providing particular attention to the personal hygiene of their child.
11. Discuss report cards and school assignments with the student.
12. Bring to the attention of school authorities any learning problem or condition that may relate to the student's education.
13. Maintain up-to-date home, work, and emergency telephone numbers and other pertinent information at the school.
14. Be sure the student attends school review sessions when required or as the need arises.
15. Work individually or in cooperation with the school to appropriately support the student through the filing of a PINS (Person In Need of Supervision) petition.
16. Submit a signed statement that they understand and consent to the role outlined in this plan.

C. Role of Administrators: Administrators are expected to:

1. Respond to discipline problems referred to them by teachers.
2. Promote effective discipline and training of all students.
3. Encourage parent communication with the school, including participation in parent-teacher conferences.
4. Provide appropriate assistance to students in learning self-discipline.
5. Assume responsibility and instructional leadership for discipline and for evaluation of the discipline management plan.
6. Serve as appropriate role models for students according to the standards of the profession.
7. Send a written report to a parent when required regarding a student's violation of the Code of Conduct.

D. Role of Teachers: Teachers are expected to:

1. Use discipline management techniques in alignment with the building discipline practices.
2. Ensure good student discipline by being in regular attendance and on time.
3. Be prepared to perform teaching duties with appropriate preparation, assignments, and resource materials.

4. Comply with District and school policies, rules, regulations, and directives.
5. Maintain an orderly classroom atmosphere conducive to learning.
6. Meet the standards of teaching performance established by the District.
7. Establish rapport and an effective working relationship with parents, students, and other staff members.
8. Teach students to develop and practice self-discipline.
9. Encourage good work habits that will lead to success in meeting personal goals.
10. File a written report with a school administrator regarding a student's violation of the Student Code of Conduct.
11. Serve as appropriate role models for students in accordance with the standards of the teaching profession.

E. Role of School Counselors: School Counselors are expected to:

1. Support 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.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate or help to arrange conferences between and among parents, teachers, students and counselors, as necessary, as a way to share information, address concerns, and solve problems.
4. Regularly review with students their educational progress and career plans.
5. Maintain confidentiality in accordance with federal and state law.
6. Provide information to assist students with career and life planning.
7. Encourage students to benefit from the curriculum and extracurricular programs.
8. Make known to students and families the resources in the community that are available to meet their needs.
9. Participate in school-wide efforts to provide adequate supervision in all school spaces.
10. Address issues of 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.

F. Other School Personnel: All school personnel are expected to:

1. Supporting a climate of mutual respect and dignity for all students regardless of actual or perceived race (including traits historically associated with race such as hair texture and protective hairstyles), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Maintain confidentiality in accordance with federal and state law.
3. Be familiar with the code of conduct.
4. Help children understand the district's expectations for maintaining a safe, orderly environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.

5. STUDENT DRESS CODE

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. Guidelines for acceptable student dress, grooming and appearance are as follows:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments and see-through garments are not appropriate.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times.
5. Not include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, national origin, sexual orientation or disability.
6. Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal or violent activities.

Each Building Principal shall work with members of the building instructional teams to develop a dress code appropriate for their individual buildings based on the guidelines outlined above. The Building Principal shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and 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, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline as outlined in the individual Building-level Codes of Conduct.

6. RECOGNITION OF RESPONSIBLE STUDENT BEHAVIOR AND ACCOMPLISHMENTS

Educators have learned that although steps to stop inappropriate behavior are necessary, praise and rewards for responsible student behavior do more to encourage positive traits than anything else. Educators at Ticonderoga Central School District are encouraged to practice assertive discipline techniques (they are positive and realistic approaches to handling negative behavior).

The Ticonderoga Central School District recognizes responsible student behavior in many ways and encourages additional methods of recognition such as the following:

1. National Honor Society induction ceremony
2. Publication of Honor Rolls
3. Athletic Awards Night
4. Graduation Awards
5. Student Council
6. Class Officers
7. Publicity of student achievement and activities in local newspapers
8. Enrichment programs in all three buildings
9. Certificates for perfect attendance
10. Academic Quiz Bowl
11. Elementary School Awards Program

12. Individual Recognition Awards given by classroom teachers and administration for positive social and academic growth
13. Presentation of the Presidential Academic Fitness Awards
14. Junior, Senior and National Honor Society privileges
15. Student Recognition trip(s)
16. Jr. Sr. High School Academic Awards Night

7. PROHIBITIVE STUDENT CONDUCT

Students should always be aware that New York State Education Law recognizes that teachers and administrators have the responsibility for the welfare of students in attendance at school or at school functions.

Based on the Ticonderoga Central School philosophy, the following student discipline code has been developed. It is expected that knowledge of the rules of conduct and consistency of administration will provide a positive learning atmosphere.

No single set of guidelines can provide a means of anticipating the variety of disciplinary situations that may occur. It is the responsibility of teachers and principals to investigate each incident on an individual basis and to determine the appropriate course of action.

A student may be subject to disciplinary action, up to and including suspension for school when he/she:

- A. Engages in conduct that is disorderly or intentionally causing public inconvenience, annoyance, alarm, or recklessly creating risk thereof. Examples of disorderly conduct include:
 1. Fighting or engaging in violent behavior
 2. Making unreasonable noise
 3. Using abusive or obscene language or gestures
 4. Obstructing vehicular or pedestrian traffic
 5. Creating a hazardous or physically offensive condition by any
 6. Act that serves no legitimate purpose.

- B. Engages in Conduct that is insubordinate. Examples of insubordination include:
 1. Failure to comply with the lawful directions of a teacher, school administrator or other school employee in charge of students
 2. Lateness for, missing, or leaving school without permission
 3. Skipping class or other assigned assignment

- C. Engages in conduct that endangers the safety, morals, health or welfare of others by any act. Examples of such conduct include:
 1. Selling, using or possessing alcohol, drugs, or other controlled substances or drug paraphernalia
 2. Selling, using or possessing weapons, fireworks or other dangerous instruments or contraband
 3. Selling, using or possessing obscene materials
 4. Using profane, vulgar or abusive language (including ethnic slurs)

5. Possession and use of tobacco products, including, but not limited to: cigarettes, cigars, chewing tobacco, e-cigarettes, vaporizers, tobacco, rolling papers and/or tobacco related paraphernalia on school grounds
6. Gambling
7. Hazing
8. Engaging in lewd behavior
9. Dressing inappropriately
10. Harassment
11. Bullying

D. Engages in conduct that is violent. Examples of violent conduct include:

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property
2. Committing an act of violence upon a teacher, administrator, or other school employee
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon on school property or at a school function
4. Displaying what appears to be a weapon
5. Threatening to use a weapon
6. Intentionally damaging or destroying school or personal property of a teacher, administrator, other district employee or any other person lawfully on school property, including graffiti or arson
7. Intentionally damaging or destroying school district property

E. Engages in any of the following forms of academic misconduct. Examples of such conduct includes:

1. Lateness for, missing or leaving school or class without permission
2. Cheating (including but not limited to copying, using unauthorized help sheets and the like, illegally obtaining tests in advance, substituting for a test-taker, and other forms of unauthorized collusion)
3. Plagiarism

F. Engage in conduct that is disruptive. Examples of disruptive conduct includes:

1. Failing to comply with the lawful directions of teachers, school administrators or other school personnel in charge of students.

G. Engaging in misconduct on the school bus. Transportation Regulations (See Appendices B)

H. Violates the Attendance procedure. (See Appendices A)

I. Violates District Athletic Code of Conduct(Refer to Athletic Code of Conduct Handbook)

J. Violates District Acceptable Use Policy (Refer to District Acceptable Use Policy #4526-R)

K. Violates Dignity for All Students Act (Refer to Dignity for All Students Act Policy 0115) including digital threats, aggression or abuse.

8. REPORTING VIOLATIONS OF THE CODE OF CONDUCT

All students are expected to promptly report violations of the code of conduct 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 Principal, the Principal's designee or the Superintendent of Schools.

Upon receipt of the report of violations and a determination that such conduct substantially affects the order or security of the school or constitutes a crime, District staff authorized to impose disciplinary sanctions shall do so in a prompt manner. District staff who are not authorized to impose disciplinary sanctions shall report violations of the code of conduct to their supervisor as soon as possible. The supervisor shall impose appropriate disciplinary sanctions, if so authorized, or refer the matter to a staff member who is authorized to impose a disciplinary sanction.

When acting in accordance with this policy, the identification of students or District staff making such reports shall not be disclosed unless required to do so by applicable law.

Any weapon, alcohol or illegal substance found in the possession of students shall be confiscated by the District staff, followed by notification to the parent of the student involved. The parent(s) shall be advised of appropriate disciplinary sanctions, which may include permanent suspension from instruction and referral for prosecution.

The Principal or his/her designee shall notify the appropriate local law enforcement agency of code violations that constitute a crime and which substantially affect the order or security of a school. Such notification shall occur as soon as practicable, but in no event later than the day the Principal or his/her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed the same day as the telephone call is made. The notification shall identify the student name and address and a description of the conduct that violated the District code of conduct and which is believed to be a crime.

Dignity Act Coordinator

The Dignity Act Coordinators are appointed annually. The names and contact information will be posted on the district website and each office.

The Dignity Act Coordinators' duties are as follows:

- a. Promote a safe, orderly and stimulating environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex or any differences among students.
- b. Oversee and coordinate the work of the district wide and building-level bullying prevention committees.
- c. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
- d. Coordinate, with the Professional Development Committee, training in support of the bullying prevention committee.
- e. Be responsible for monitoring and reporting on the effectiveness of the district's bullying prevention policy.
- f. Address and investigate issues of 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.
- g. Address personal biases that may prevent equal treatment of all students and staff (rephrase)

9. DISCIPLINARY PROCEDURES AND PENALTIES

Discipline is most effective when it deals directly with the problem at the time and place it occurs and is handled in as fair and impartial manner as possible. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the student's ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair and consistent so as to be most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of the forms of discipline.
5. Information from parents, teachers and /or others, as appropriate.
6. Other extenuating circumstances.
7. The impact on others involved

Although the consequences of misbehavior are listed throughout the document, parents and students should be aware that one or more of the following actions might be the result of unacceptable conduct. As a general rule, discipline will be progressive. This means that a student's first violation will usually meet with a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability. (See Board of Education Policy for Students with Disabilities.

A. Permissible Penalties

Depending upon the nature of the violation, it is the Board's desire that a student's discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations. It is also the board's desire that an employee or agent take into account all other relevant factors in determining an appropriate penalty. The penalties listed below may be imposed either alone or in combination.

1. Verbal Reprimand
2. Written Reprimand
3. Counseling
4. Loss of Privileges
5. Student conference with teacher or staff member in charge
6. Teacher contact with parent
7. Teacher-assigned period
8. Principal contact with student
9. Principal contact with parent
10. Conference with parent, teacher, Assistant Principal, and Principal (with student)
11. Exclusion from extra-curricular activities by the Principal
12. Principal assigned detention (in lieu of suspension)

13. Repair, clean, or restitution of property and damages
14. Loss of bus riding privileges if a bus problem
15. Loss of privilege of eating in the cafeteria if lunchroom problem
16. In-school Suspension
17. Out-of –school Suspension
18. Referral to Law Enforcement
19. Referral to local community agencies (Youth Court, PINS, etc.)
20. Superintendent's Hearing
21. Exclusion from school by Superintendent (more than 5 days)
22. Other strategies that may be available and appropriate to meet the students' needs

B. Procedures

The amount of due process a student is entitled to before a penalty is imposed will depend on the type of penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must let the student know what misconduct the student is alleged to have committed. All students will have the opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty. Students who are given penalties other than verbal warning, written warning, written notification to their parents or detention are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

- Detention: Teachers and Building Principals may use after school detention as a penalty for school misconduct when appropriate. Individual Building codes will describe procedures for each grade level; however, in all buildings the process will include parent notification and appropriate transportation.
- Suspension from Transportation: The Board is committed to providing students with a safe means of transportation both to and from school. If a student does not conduct himself/herself properly on the bus, the bus driver is to inform the Building Principal. Procedures for suspensions from transportation are outlined in Appendices A.
- Suspension from Athletic Participation: Students subjected to a suspension from athletic participation, extra-curricular activities or other privileges are not entitled to a full hearing pursuant to Education Law 3214. However, the student's parents/guardian will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct of the penalty involved. As outlined in the Athletic Code of Conduct Handbook.
- In-School Suspension: The Board recognizes that the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, it authorizes Building Principals and the Superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension." This is the temporary removal of students from the classroom and their placement in another area of the building where students will receive substantially equivalent alternate education. Students subjected to in-school suspension are not entitled to a full hearing pursuant to Education Law 3214. However, the student's parents/guardian will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct of the penalty involved.

- Teacher Removal of Disruptive Students:
 - As prescribed under New York State Education Law #3214 and Project SAVE Legislation, a teacher may remove a student from class when that student's conduct poses a danger or threat, is substantially disruptive or substantially interferes with the teacher's authority and ability to conduct or control the class.
 - Teachers are expected to use all reasonable and practical management strategies to maintain an orderly classroom climate. Documentation of interventions taken on individual students must be maintained to demonstrate that progressive, proactive measures have been taken as corrective action. Documented communication with parents must be a consistent component of each student management plan.
 - For purposes of the Code of Conduct, a disruptive student is one who substantially interferes with the educational process or the teacher's authority by demonstrating a persistent unwillingness to comply with the teacher's instructions or repeatedly violating the teacher's/school's/district's rules of behavior.

Once a teacher makes a judgment that preventive or corrective action has not resulted in student compliance, according to the District's Code of Conduct, the following procedures will occur:

Short Term Removal – One Period:

1. The teacher will send the student to the designated intervention area.
2. The teacher will notify the Principal and/or his designee verbally that the student has been removed and sent to the intervention area.
3. The teacher will provide the written referral documentation describing the reason for removal from class by the end of the day.
4. The teacher will be available for an informal conference so the student can be afforded the opportunity to have due process regarding the removal.
5. The teacher will verbally notify the student's parents regarding the removal from class and state the reasons for the removal to them, teachers are encouraged to maintain contact with parents regarding their child's misbehavior. Parents should be afforded the opportunity for a conference, if requested.
6. Building administration will determine if the misconduct that warranted the removal is subject to further disciplinary action beyond the one period removal and will notify the parents of that student about the action taken regarding that removal.
7. Students are responsible to make up for all missed work incurred during the removal period.

Long Term Removal – More Than One Period:

1. Follow steps 1-6 as stated in the above text "Short Term Removal".
2. In consultation with the teacher, the Principal and/or his designee will determine if the removal from class should be extended beyond one day, but not more than 5 consecutive days. The parents of the student will be notified of the removal by the Principal and/or his designee. Alternative academic programming arrangements will be the responsibility of the teacher and the student during the time of the designated removal period.

Appeals and Waivers:

1. Appeals: The student and his/her respective parent or guardian have the right to appeal any and all decisions regarding the removal from class, as afforded to them by NY State Education Law #3214 and Project SAVE Legislation.
2. Waivers: The Principal and/or his designee cannot set aside the removal imposed by the teacher unless:
 - a. The charges against the student are not supported by enough evidence.
 - b. The student's removal is otherwise in violation of the law, including the District Code of Conduct.
 - c. The conduct warrants suspension from school pursuant to Education Law #3214.

No student removed from the classroom under SAVE Legislation shall be permitted to return to class until the Principal and/or his designee makes a final determination, or the period of removal expires, whichever is less; or the teacher agrees to an alternative disciplinary arrangement.

Out-of-school Suspension: Section 3214 of the New York State Education Law shall govern the Ticonderoga Central School District procedures regarding pupil suspension and expulsion. The Superintendent and Building Principals may suspend a student for a period not to exceed five days (Education Law, Section 3214). Otherwise, only the Board of Education or the Superintendent of Schools has the power to suspend students (Education Law, Section 3214). If the Board excludes a student from instruction, it may do so only in accordance with statutory requirements that assure due process of law. A Board of Education need not provide further instruction to any excluded student over the compulsory age (16), with the exception of students classified under the Committee of Special Education. However, when the Board of Education excludes a student under the compulsory age, the Board is required to provide alternative instruction for that student (Education Law, Section 3214, Subdivision 3 (e)).

Superintendent's Hearing: A Superintendent's Hearing is a severe form of punishment for extraordinary circumstances. It may result in penalties including: written reprimand, suspension for less than five days, suspension more than five days, or disenrollment from school. The Superintendent will personally hear and determine the proceedings or may in his or her discretion, designate a hearing officer to conduct the hearing. A record of the hearing will be maintained. The district will follow the procedure as outlined in Education Law 3214.

Harassment: (Refer to DASA Policy #0115) Formal Complaint: Formal complaints may be submitted either to initially report any incidence of sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint. In the latter case, the formal written complaint, using the attached form, is to be submitted to the building principal originally consulted, who will then forward it to the next appropriate level of management, (i.e., the Compliance Officer) or second designee for appropriate action.

The formal written complaint will consist of any appropriate forms and a copy of any applicable building principal reports. The appropriate forms solicit the specifics of the complaint (i.e., date and place of incident, description of misconduct, names of any witnesses, and any previous action taken to resolve the matter).

The Superintendent or the Board shall take immediate, appropriate and corrective action upon a determination of any form of harassment. The Superintendent or the Board shall notify the complainant of any findings and action taken.

10. STUDENT SEARCHES AND INTERROGATIONS

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

In addition, the Board of Education authorizes the Superintendent of Schools, Building Principal or Designee to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or district code of conduct. An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the limited search.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or district code, or get the student to voluntarily consent to the search. Searches will be limited to the evidence sought and will take place, whenever practicable, in the privacy of the administrative office. Students will be present when their possessions are searched.

A. Student Lockers, Desks and other School Storage Place

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks, and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent. Law enforcement officials may be present at these searches should the school official have reasonable suspicion that a violation of the law has occurred, however the search will be conducted by the school official.

B. Documentation of Searches

The Superintendent of Schools, Building Principal or Designee will document the results of a search and will include all pertinent information including the name and grade of the student, reason for the search, time and location, results of the search, witnesses, and disposition. Authorized school officials will include witnesses when conducting a search whenever practical.

C. Police Involvement

The Ticonderoga Central School District is committed to cooperating with police officials and other law enforcement to maintain a safe school environment. Students who are questioned by law enforcement officials on school property or at a school function will be afforded the same rights they have outside of school. Authorized school officials shall try to notify the student's parents before such questioning to give the parent the opportunity to be present during the

police questioning. Authorized school officials shall be present at the questioning of students on school property or at a school function.

D. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by child protective services to interview a student will be made through the Building Principal or their designee. The Building Principal or their designee will set the time and place for the interview and will be present when the interview takes place. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing, the school nurse or other district medical personnel must be present during that portion of the interview.

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

11. PROHIBITION OF CORPORAL PUNISHMENT

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot be reasonably used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or person from physical injury.
2. Protect the property of the school or others
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts (appropriate training required for all restraints).

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

12. DISCIPLINING STUDENTS WITH DISABILITIES

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the district's student code of conduct, and/or to temporarily remove a student with disabilities from his or her current placement because maintaining the student in that placement is substantially likely to result in injury to the student or to others. The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions those protections extend, as well, to

students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

Therefore, the Board is committed to ensuring that the district follows suspension and removal procedures that are consistent with those protections. The code of conduct for students is intended to afford students with disabilities and students presumed to have a disability for discipline purposes the express rights they enjoy under applicable law and regulations.

Definitions

For purposes of this portion of the code of conduct, and consistent with applicable law and regulations, the following definitions will apply:

1. Behavioral intervention plan (BIP) means a plan that is based on the results of a functional behavioral assessment and that, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.
2. Controlled substance means a drug or other substance abuse identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).
3. Disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a. For more than 10 consecutive school days; or
 - b. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another.
4. Illegal drug means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional, or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.
5. Interim alternative educational setting (IAES) means a temporary educational placement, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that enable him or her to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's individualized education program; as well as to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.
6. Manifestation review means a review of the relationship between the student's disability and the behavior subject to disciplinary action required when the disciplinary action results in a disciplinary change of placement, and conducted in accordance with requirements set forth later in this policy.
7. Manifestation team means a district representative knowledgeable about the student and the interpretation of information about child behavior, the parent, and relevant members of the committee on special education as determined by the parent and the district.

8. Removal means a removal of a student with a disability for disciplinary reasons from his or her current educational placement, other than a suspension; and a change in the placement of a student with a disability to an IAES.
9. School day means any day, including a partial day, that students are in attendance at school for instructional purposes.
10. Serious bodily injury means bodily injury which involves a substantial risk of death, extreme physical pain, protracted obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
11. Student presumed to have a disability for discipline purposes means a student who, under the conditions set forth later in this policy, the district is deemed to have had knowledge was a student with a disability before the behavior that precipitated the disciplinary action.
12. Suspension means a suspension pursuant to §3214 of New York's Education Law.
13. Weapon means the same as the term "dangerous weapon" under 18 USC §930(g)(2) which includes a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except a pocket knife with a blade of less than two and one-half inches in length.

Authority Of School Personnel To Suspend Or Remove Students With Disabilities

The Board, District Superintendent, Superintendent of Schools or a Building Principal with authority to suspend students under the Education Law may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days. The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed ten consecutive school days inclusive of any period in which the student has been suspended or removed for the same behavior pursuant to the above paragraph, if the Superintendent determines that the student's behavior warrants the suspension.

The Superintendent also may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as the suspensions do not constitute a disciplinary change of placement.

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student's behavior was not a manifestation of the student's disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a non-disabled student.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability to an IAES to be determined by the committee on special education for a period of up to 45 school days if the student either:

1. Carries or possesses a weapon to or at school, on school premises or to a school function, or
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the district's jurisdiction, or
3. Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the district's jurisdiction.

The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student's behavior is a manifestation of the student's disability. However, the committee on special education will determine the IAES.

Procedures for the Suspension or Removal of Students with Disabilities by School Personnel

1. In cases involving the suspension or removal of a student with a disability for a period of five consecutive school days or less, the student's parents or persons in parental relation to the student will be notified of the suspension and given an opportunity for an informal conference in accordance with the same procedures that apply to such short term suspensions of non-disabled students.
2. The suspension of students with disabilities for a period in excess of five school days will be subject to the same due process procedures applicable to non-disabled students, except that the student disciplinary hearing conducted by the Superintendent or a designated hearing officer shall be bifurcated into a guilt phase and a penalty phase. Upon a finding of guilt, the Superintendent or the designated hearing officer will await notification of the determination by the manifestation team as to whether the student's behavior was a manifestation of his or her disability. The penalty phase of the hearing may proceed after receipt of that notification. If the manifestation team determined that the behavior was not a manifestation of the student's disability, the student may be disciplined in the same manner as a non-disabled student, except that he or she will continue to receive services as set forth below. However, if the behavior was deemed a manifestation of the student's disability, the hearing will be dismissed, unless the behavior involved concerned weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, in which case the student may still be placed in an IAES.

Limitation On Authority Of School Personnel To Suspend Or Remove Students With Disabilities

The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals as set forth above in the Definitions section of this policy, unless:

1. The manifestation team determines that the student's behavior was not a manifestation of the student's disability, or
2. The student is removed to an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury as set forth above.

School personnel will consider any unique circumstances on a case-by-case basis when determining whether a disciplinary change in placement is appropriate for a student with a disability who violates the district's code of conduct.

In addition, school personnel may not suspend or remove a student with a disability in excess of the amount of time that a non-disabled student would be suspended for the same behavior.

Parental Notification Of A Disciplinary Change Of Placement

The district will provide the parents of a student with a disability notice of any decision to make a removal that constitutes a disciplinary change of placement because of a violation of the student code of conduct. Such notice will be accompanied by a copy of the procedural safeguards notice.

Authority Of An Impartial Hearing Officer To Remove A Student With A Disability

An impartial hearing officer may order the placement of a student with a disability to an IAES for up to 45 school days at a time if he or she determines that maintaining the current placement of

the student is substantially likely to result in injury to the student or to others. This authority applies whether or not the student's behavior is a manifestation of the student's disability.

Manifestation Review

A review of the relationship between a student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student's disability will be made by the manifestation team immediately, if possible, but in no case later than 10 school days after a decision is made by:

1. The Superintendent to change the placement of a student to an IAES;
2. An impartial hearing officer to place a student in an IAES; or
3. The Board, the Superintendent, or Building Principal to impose a suspension that constitutes a disciplinary change in placement.

The manifestation team must determine that the student's conduct was a manifestation of the student's disability if it concludes that the conduct in question was either:

1. Caused by or had a direct or substantial relationship to the student's disability, or
2. The direct result of the district's failure to implement the student's individualized education program.

The manifestation team must base its determination on a review of all relevant information in the student's file including the student's individualized education program, any teacher observations, and any relevant information provided by the parents.

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the district will:

1. Have the committee on special education conduct a functional behavioral assessment of the student and implement a behavioral intervention plan, unless the district had already done so prior to the behavior that resulted in the disciplinary change of placement occurring. However, if the student already has a behavioral intervention plan, the CSE will review the plan and its implementation, and modify it as necessary to address the behavior.
2. Return the student to the placement from which he or she was removed, unless the change in placement was to an IAES for conduct involving weapons, illegal drugs or controlled substances or the infliction of serious bodily injury, or the parents and the district agree to a change in placement as part of the modification of the behavioral intervention plan.

If the manifestation team determines that the conduct in question was the direct result of the district's failure to implement the student's individualized education program, the district will take immediate steps to remedy those deficiencies.

Services For Students With Disabilities During Periods Of Suspension Or Removal

Students with disabilities who are suspended or removed from their current educational setting in accordance with the provisions of this policy and applicable law and regulation will continue to receive services as follows:

1. During suspensions or removals of up to 10 school days in a school year that do not constitute a disciplinary change in placement, the district will provide alternative

instruction to students with disabilities of compulsory attendance age on the same basis as non-disabled students. Students with disabilities who are not of compulsory attendance age will receive services during such periods of suspension or removal only to the same extent as non-disabled students of the same age would if similarly suspended.

2. During subsequent suspensions or removals of up to 10 school days that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, the district will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their respective individualized education program. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to comply with this requirement. In addition, during such periods of suspension or removal the district will also provide students with disabilities services necessary for them to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.
3. During suspensions or removals in excess of 10 school days in a school year that constitute a disciplinary change in placement, including placement in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, the district will provide students with disabilities services necessary to enable them to continue to participate in the general curriculum, to progress toward meeting the goals set out in their respective individualized education program, and to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so it does not recur.

In such an instance, the committee on special education will determine the appropriate services to be provided. Students

Presumed To Have A Disability For Discipline Purposes

The parent of a student who is facing disciplinary action but who was not identified as a student with a disability at the time of misconduct has the right to invoke any of the protections set forth in this policy in accordance with applicable law and regulations, if the district is deemed to have had knowledge that the student was a student with a disability before the behavior precipitating disciplinary action occurred and the student is therefore a student presumed to have a disability for discipline purposes.

If it is claimed that the district had such knowledge, it will be the responsibility of the Superintendent, Building Principal or other authorized school official imposing the suspension or removal in question for determining whether the student is a student presumed to have a disability for discipline purposes. The district will be deemed to have had such knowledge if:

1. The student's parent/guardian expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student that the student is in need of special education. Such expression may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
2. The student's parent/guardian has requested an evaluation of the student; or
3. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the district's director of special education or other supervisory personnel.

Nonetheless, a student will not be considered a student presumed to have a disability for discipline purposes if notwithstanding the district's receipt of information supporting a claim that it had knowledge the student has a disability.

1. The student's parent has not allowed an evaluation of the student; or
2. The student's parent has refused services; or
3. The District conducted an evaluation of the student and determined that the student is not a student with a disability.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if the district receives a request for an individual evaluation while the student is subjected to a disciplinary removal, the district will conduct an expedited evaluation of the student in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student shall remain in the educational placement determined by the district which can include suspension.

Expedited Due Process Hearings

The district will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:

1. The district to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement;
2. The district during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings;
3. The student's parent regarding a determination that the student's behavior was not a manifestation of the student's disability; or
4. The student's parent relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

The district will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in Commissioner's regulations. Those procedures include but are not limited to convening a resolution meeting, and initiating and completing the hearing within the timelines specified in those regulations.

When an expedited due process hearing has been requested because of a disciplinary change in placement, a manifestation determination, or because the district believes that maintaining the student in the current placement is likely to result in injury to the student or others, the student will remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the period of removal, whichever occurs first unless the student's parent and the district agree otherwise.

Referral To Law Enforcement And Judicial Authorities

Consistent with its authority under applicable law and regulations, the district will report a crime committed by a student with a disability to appropriate law enforcement and judicial authorities. In such an instance, The Superintendent will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration to the appropriate authorities

to whom the crime is reported, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

Cross-ref: 5500, Student Records | Ref: Individuals with Disabilities Education Act, 20 USC §1415(k); 34 CFR § 300.530 et seq. N.Y. Education Law § 3214(g) 8 NYCRR Part 201

13. PROCEDURE FOR MAINTENANCE AND ENFORCEMENT OF PUBLIC ORDER

The district 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 school property. In accordance with Education Law #2801, the board adopts the following regulations to maintain public order on school property:

A. Prohibited Conduct

The Board of Education prohibits the following conduct or acts on school property by students, teachers, staff members, licensees, or invitees:

1. The willful physical injury of any person or the threat to use force, which would result in injury.
2. The harassment or coercion of any person.
3. The willful damage to, or destruction of, property.
4. The willful disruption of the orderly conduct or of any other school program or activity.
5. The entry of any school building or upon any portion of the school premises unless such entry is made in connection with official business with the district or to attend an activity or function authorized thereby.
6. The willful interference with the lawful and authorized activities of others persons.
7. The possession, consumption, or exchange of alcoholic beverages, unauthorized drugs, tobacco products or narcotics on school property.
8. The possession or use of a knife, razor, ice pick, explosives, loaded cane, sword cane, machete, pistol, rifle, shotgun, pellet gun or any other object that reasonably can be considered a weapon, on property of the school district.
9. The violation of any federal or state statute, local ordinance, or board policy.
10. The refusal or failure of any person to comply with a lawful order or direction from an official of the school district in the performance of their duties.
11. The distribution or posting of any written material, pamphlets or posters without the prior written approval of the superintendent or building principal.

B. Enforcement and Penalties

Any violation of the above shall be reported immediately to the building principal. He/she will investigate the case thoroughly and make a written report to the superintendent. The principal and/or the superintendent will have the following options as to what penalty to impose:

1. Violators will be reprimanded.
2. Violators will be ordered to leave the school property immediately.
3. Police will be called and specific charges made under the proper penal code.
4. Any penalty authorized by Section 3214 of the Education Law or board policies, if the violator is a student, provided the provisions pertaining to notice and hearing have been met.

5. Any penalty authorized under Section 3020-a of the Education Law, if the violator is a tenured teacher, provided the provision pertaining to charges, notices, hearings, and findings have been complied with.
6. Any penalty authorized under Section 3031 of the Education Law, if the violator is a non-tenured teacher or Section 75 of the Civil Service Law, if the violator is a non-teaching employee of the district, provided the provision pertaining to charges, notices, and hearings have been complied with.

C. Other Penalties

These regulations and the penalties are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of a fine or penalty provided for therein.

14. PROCEDURE FOR EARLY IDENTIFICATION AND RESOLUTION OF DISCIPLINE PROBLEMS

The intent of the discipline policy is to identify students who are at risk, due to their behavior, early in the student's school life and/or school year. The main thrust of our discipline philosophy is to prevent discipline problems by providing programs appropriate to students or by an intervention by suitable personnel before serious problems occur.

Discipline problems are to be handled initially by the teacher unless the code calls for the principal to be involved. Teachers will make the initial contact with parents over routine classroom discipline matters. This contact may include telephone calls, letters or conferences.

If a teacher feels the situation has progressed to the point where further action is necessary, the principal or their designee is to be notified. The principal will conduct an investigation of the reports, which may include conferences with the complainant, student, parents, teachers, other pupil service personnel or others, as he or she deems appropriate for the early identification and resolution of the suspected problem. If the principal suspects that the problem may be a manifestation of a disability, he or she will refer the matter to the Committee on Special Education in the manner prescribed by section 200.4 of the Commissioner's Regulations and by district policy.

In all cases, the ultimate goal is to see improvement in a student's behavior as well as help the student develop self-discipline.

15. ALTERNATIVE EDUCATIONAL PROGRAMS

The alternative educational programs are available for those students who are unable to benefit from the learning experience offered with the regular school program. Ticonderoga Central School District will offer the following alternative education programs:

1. Placement by the Committee on Special Education
2. Home Instruction
3. Referral to other appropriate agencies

16. PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES

Continuing professional growth and increasing effectiveness of the part of the entire staff are essential for the success of educational programs and the effective application of this school's conduct and discipline policy. In-service programs, to familiarize the professional staff with the provisions and purposes of this policy, shall be conducted in each school of the district by the principal or other appropriate administrator at least annually. The professional staff shall be encouraged to make use of available in-service opportunities. Such opportunities shall include, within budgetary limitations, special in-service courses and workshops, summer study grants, school visitations, and attendance at professional conferences and meetings.

17. ANNUAL REVIEW AND IMPLEMENTATION PROCEDURES

The Board will review this code of conduct every year and update as necessary. The Board may appoint an advisory committee to assist in reviewing the code and to make recommendations for change.

The Board shall ensure community awareness of its code of conduct by:

1. posting the complete code of conduct, respectively, on the internet website, if any, of the school or school district, including any annual updates to the code made of this subparagraph and any other amendments to the code;
2. providing copies of a summary of the code of conduct to all students, in an age-appropriate version, written in plain-language, at a school assembly to be held at the beginning of each school year;
3. mailing a plain language summary of the code of conduct to all persons in parental relation to students before the beginning of each school year and making such summary available thereafter upon request;
4. providing each teacher with a copy of the complete code of conduct and a copy of any amendments to the code as soon as practicable following initial adoption or amendment of the code, and providing new teachers with a complete copy of the current code upon their employment; and
5. making complete copies available for review by students, parents or persons in parental relation to students, other school staff and other community members.

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

The superintendent will file this policy and any amendments with the Commissioner of Education, in a manner prescribed by the Commissioner, no later than 30 days after the adoption date.

Code of Conduct Policy 5300
First reading: March 2023
Public Hearing March 2023
Review: April 2023
Adoption: May 2023

APPENDICES/ For reference only not part of the Policy

A. ATTENDANCE

Purpose: A student can only achieve the high level of curricular mastery in the District's Mission Statement with good attendance. The purpose of this policy is to encourage students to have an excellent attendance record at Ticonderoga Central School and to help parents comply with their legal responsibility to ensure their children's regular and punctual attendance to school.

1. Administrative Procedures: Each principal will establish administrative attendance procedures for their building and notify students, parents, and teachers.
2. BOCES Attendance Regulation: Each student attending BOCES will be informed of the attendance regulations by their guidance counselor.
3. Daily Attendance Procedures: Students are expected to be in class at the scheduled start time. In order to monitor attendance promptly and effectively, the following procedures should be followed:

Jr. Sr. High School:

- a. Classroom teachers take attendance at the beginning of each class period utilizing SchoolTool. As attendance is taken this will be available to administration.
- b. If a student is in class and that student's name appears on the absentee list, the teacher should inform the Main Office as soon as possible.
- c. Teachers will maintain a record of students' absences and tardies from class.
- d. If a student listed as present is missing from a class period, the teacher is to notify the main office.

Elementary School:

- a. Teachers should take attendance at the beginning of the school day; the attendance report should be sent to the Main Office as soon as attendance is taken. Any student who comes in after the scheduled start time must report directly to the Nurse's Office.
- b. The Nurse's Office will make an attempt to contact the student's parent or guardian.
- c. If a student is in class and that student's name appears on the absentee list, the teacher should inform the Main Office as soon as possible.
- d. Teachers will maintain a record of students' absences and tardies for their own use and reference. Official attendance records are maintained via the Nurse's office using SchoolTool.
- e. Students are required to remain in school until the close of the school day, unless they are legitimately excused. Early dismissal for special needs or emergency circumstances is arranged through the Main Office.

General Comments

- a. Students are required to remain in school until the close of the school day, unless they are legitimately excused. Students who leave school without prior authorization will be considered truant. Early dismissal for special needs or emergency circumstances is arranged through the Main Office. Emergency early dismissal will not be granted to a student if the Office cannot arrange for transfer of responsibility in a proper way.
4. Excused and Unexcused Absences
 - a. Excused Absences – Ultimately, the determination of excused absences is at the discretion of the principal. The following are examples of excused absences:
 1. Educational field trip
 1. Participation in school sponsored athletic competitions
 2. Approved cooperative work program or internship
 3. Pre-approved college visit

4. School sponsored or pre-approved community service project
5. Military obligations
6. School sponsored music lessons or performances
7. Approved religious observance
8. Student illness
9. Sickness or death in the family
10. Excused absence for medical appointment or attendance at health clinics (physician's note required)
11. Impassable roads or weather (verifiable)
12. Quarantine
13. Court appearance
- b. Unexcused absences – The following are considered unexcused absences:
 1. Truancy
 2. Unlawful detention
 3. Other absences which are not legal
5. Attendance Requirements for Receiving Course Credit and/or Attend Summer School
 - a. In order to receive course credit and/or be eligible to attend summer school, a student must have no more than thirty (30) absences for a full-year course or eighteen (18) absences for a semester course.
6. Appeals Process
 - a. Students will be denied credit when:
 1. They accumulate eighteen (18) absences in a semester course and are not passing the course.
 2. They accumulate thirty (30) absences in a full year course and do not have a passing average.
 - b. Students who have been denied credit due to attendance may appeal by:
 1. Submitting a letter of appeal to the Principal within two weeks of being notified of credit denial. The Attendance Review Board (ARB) will meet with the student and parents to hear the appeal. The ARB will then make a recommendation to the Principal. The Principal will make the final determination. When hearing an appeal, the ARB shall consist of a district Administrator (not the specific building principal), school nurse, one teacher, a counselor/social worker and if the student has been identified as having any disability, the Director of Special Education or their designee.
7. Incentives Available to Encourage Regular Student Attendance
 - a. At the beginning of each school year, a committee consisting of representatives of the Student Council, Administration, and Attendance Review Board will meet to establish attendance goals and develop a series of group and individual incentives to encourage students to meet those goals.
8. Description of Consequences to be Applied for Tardiness, Failure to Attend School or Class
 - a. Students who are habitually tardy to class may:
 1. Be required to make up missed time after school or other time mutually agreed with the teacher (twice the total minutes missed)
 2. Receive a written reprimand
 3. Be assigned detention(s) after school
 4. Be denied specific student privileges, or participation in school events
 5. Be assigned in-school suspension
 - b. Students who fail to attend school or class regularly may:
 1. Be subject to possible response option(s) listed in Code of Conduct
 2. Not participate in after-school events or programs on the day of absence

3. Be denied credit for the course
 4. Be subject to a PINS petition
 - c. Additionally, students who are truant or cut classes may receive a reduction in grade for any announced quizzes or tests given during that class or any other graded assignment they missed. The teacher will determine the reduction in grade after considering: (a) the nature of the assignment (b) the impact of the reduction upon the student's overall average.
9. Description of the Process by Which Parents/Guardians will be Notified of a Student's Tardiness, Failure to Attend School, or Failure to Attend Class. Parents will be notified in the following ways:
- a. A statement of absences/tardies to school by marking period.
 - b. Teachers will inform parents of excessive tardiness or absence by one or more of the following means of communication:
 1. Phone
 2. Progress report
 3. Email
 4. Letter
 5. Disciplinary referral
 6. Report card comment
10. Intervention Strategies to be Implemented in Addressing Attendance Problems
- a. An Attendance Review Board (ARB) may be utilized as appropriate to discuss students who have excessive absences or tardiness to determine a course of action that will (a) improve the student's attendance to school and class (b) avoid denial of credit or the right to attend summer school.
 - b. The ARB will consist of the Principal or designee, School Nurse, Counselor, and, when appropriate, the teacher(s) and parents of the student in jeopardy.
 - c. Parents are urged to attend meetings of the ARB and help resolve the issues surrounding the student's attendance.
 - d. Students will be referred to the ARB when:
 1. A student is absent from school a total of twenty (20) days
 2. The Principal, a teacher, School Nurse, counselor, or grade level team feel a referral is necessary
 3. A student has ten (10) absences in a semester course
 4. A student has twenty (20) absences in a full year course
 5. Student is not passing the course.
 - e. The ARB will confer with teachers to determine the cause/impact of absences and/or tardiness and develop an attendance improvement plan for the student, if necessary.
 - f. The ARB will make recommendations to the Principal concerning the withholding of course credit because of excessive absence.
 - g. Students and parents will be informed of meetings of the ARB and will be notified of their recommendations.
11. Description of the Responsibilities and Organizational Structure for Monitoring, Recording, Reviewing, and Addressing Attendance Concerns
- a. Student Responsibilities
 1. To attend school and all classes on time, unless legally excused
 2. To make up assignments missed due to absence. Note: To avoid a reduction in grade for lateness, students must make arrangements with the teacher to complete missed work on the first day of their return to class, at the end of the class period.
 3. To provide the School Nurse/Main Office with written excuses for absences and early dismissals

- b. Parent Responsibilities
 - 1. To ensure that students attend school and classes unless legally excused
 - 2. To inform the School Nurse/Main Office in writing of reasons for students' absences and dismissal from school
- c. Principal Responsibilities
 - 1. To ensure that the Attendance Policy is applied in a fair and equitable manner
 - 2. To inform parents of students' attendance in accordance with the attendance policy
- d. School Nurse Responsibilities
 - 1. To maintain an accurate record of student attendance
 - 2. To inform the Principal and ARB of trends in student attendance
 - 3. To refer students to the ARB in accordance with the attendance policy
 - 4. To maintain student excuses on file
- e. Teacher Responsibilities
 - 1. To maintain an accurate record of student absences and tardiness
 - 2. To inform the ARB at the end of each term when students have reached the bench marks of class absence or tardiness in accordance with the attendance policy

B. TRANSPORTATION REGULATIONS

1. Student Responsibilities: Every bus student going to or from school or while on an extracurricular activity must abide by these rules or be deprived of the right to ride the bus.
 - a. Be on time. Do not keep the bus waiting. Inform the driver, if possible, when you will be absent.
 - b. ALL STUDENTS MUST CROSS NO LESS THAN 10 FEET IN FRONT OF THE BUS.
 - c. Stop and look both ways before crossing to or from the bus.
 - d. All students shall sit in the seats assigned to them.
 - e. Remain seated when the bus is in motion.
 - f. Keep heads, hands, and arms inside the bus.
 - g. Loud talking, scuffling, fighting, smoking, and obscene language are forbidden.
 - h. Do not litter the bus with debris.
 - i. There is to be no eating of food or use of beverages on regular bus runs.
 - j. Students will be held responsible for any damage they cause to the bus.
 - k. The bus driver is responsible for discipline on the bus.
 - l. Bus drivers may report misconduct to the principal of the school.
 - m. Parents will be notified if the misconduct continues.
 - n. Bus students may be denied the privilege of riding by the principal if these regulations are not followed.
2. Unloading the Bus:
 - a. Do not leave your seat until the bus has come to a complete stop and the driver has opened the door.
 - b. Again, obey any directions issued by the driver.
 - c. Leave the bus quickly but in a courteous manner without pushing other pupils.
 - d. If you must cross a street as you leave the school bus, be sure to walk in front of the bus (never in back) at a distance of at least 10 feet away from the bus. If you get too close to the front of the bus, the driver will not be able to see you, and a serious accident could occur.

- e. Again, be sure to observe all safety precautions as you travel from your bus stop to your home.
 - f. Violation of the bus rules may result in loss of bus privileges.
3. Method of Discipline:
- First: The bus driver should make an attempt to correct discipline problems by asking the pupil to behave and, if necessary, to assign seats to certain pupils.
 - Second: After two or three verbal warnings have been given to the pupil by the driver on discipline problems, the "Discipline Report" must be completed and sent to the Principal/Assistant Principal.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parents/guardian will be provided with reasonable opportunity for an informal conference with the building principal or the principal's designed to discuss the conduct and the penalty involved.

If the pupil is suspended, a conference (either verbally via phone or in person) must be held with the parents before the restriction is imposed. Once a determination is made, the action, which has been taken by the principal, will be noted in writing. A copy of the referral will be sent to the bus driver, Transportation Supervisor, and parents/guardian. The principal will retain another copy. Suspensions from bus riding privileges may be short term (5 days or less) or long-term (beyond 5 days).

- a. Short-term suspensions may be imposed by the Board of Education, Superintendent, his designee, or by the building principal, if expressly authorized. No other employee may impose a short-term suspension.
- b. Any student suspended for five days or less must be afforded the following:
 - 1. Oral or written notice of the charges against him or her.
 - 2. If the student denies the charges, an explanation of the evidence the school has.
 - 3. An opportunity to present his or her side of the story.
- c. In addition, notice of charges and the opportunity to rebut these charges must occur before the suspension begins, except when the student's conduct poses an emergency situation. In these cases, the notice and hearing must follow as soon as practicable. On request the student and parent must be given an opportunity for an informal conference with the principal, at which time the parent may ask questions of the witnesses who made the complaint. A long-term suspension is any suspension from required attendance from instruction in excess of five days. Because it is obviously more serious than the short-term suspension, a student is given significantly greater procedural safeguards. First, only the Board of Education or Superintendent may suspend for more than five days. The procedures to be followed in determining a long-term suspension will be in accordance with New York State Education Law.

The Ticonderoga Central School District furnishes transportation to those students whose disability or distance from the school make the service essential. Except as otherwise mandated in a student's Individualized Education Program (IEP), riding these buses is a privilege and may be withdrawn if the student does not comply with the rules and regulations set forth in the Code of Conduct.

Bus drivers and monitors, where applicable, shall be held responsible for reasonable and acceptable behavior of students while riding the school bus. Students riding school buses are

expected to conform to the rules of conduct in order to permit the bus driver to transport his/her passengers safely.

The Board of Education, the Superintendent and/or his/her designee has the authority to suspend the transportation privileges of children who are disorderly and insubordinate on buses. Generally, parent(s)/guardian(s) will be required to make alternative transportation arrangements for their children who have been suspended from riding the bus. However, the effect of a suspension from transportation on the student's ability to attend school will be considered. If a suspension from transportation effectively results in a suspension from attendance because of the distance between the home and the school and the absence of alternative public or private means of transportation, the District shall make appropriate arrangements to provide for the student's education.

If a student with a disability who receives transportation as a related service as part of his/her Individualized Education Program is being considered for suspension from transportation, and that suspension would effectively result in a change in placement, the student shall be referred to the Committee on Special Education.

The Board directs the administration to establish rules and regulations for student conduct on buses, including applicable due process rights to be afforded students suspended from transportation privileges. These rules and regulations shall be promulgated to all concerned, including the nonpublic schools to which students are transported.