

CODE OF CONDUCT

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CODE OF CONDUCT**I. Introduction**

The Stockbridge Valley Central School District establishes this Code of Conduct for the Maintenance of Public Order on School Property and at School Functions to govern the conduct of students, teachers and other school personnel, and visitors. This Code of Conduct has been developed consistent with Article 2-A of the Education Law, the Safe Schools Against Violence in Education Act (Chapter 181 of the Laws of 2000) and Section 100.2 of the implementing Commissioners Regulations and in collaboration with student, teacher, administrators and parent organizations, school safety personnel and other school personnel.

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 to ensure that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this code of conduct ("Code").

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

**II. Definitions**

For purposes of this code, the following definitions apply:

“Cyberbullying” means harassment or bullying that occurs through any form of electronic communication.

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

"Disruptive student" means an elementary (K-5) or secondary (6-12) 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.

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“Gender” means a person’s actual or perceived sex and includes a person’s gender identity or Expression. “Gender Identity” means a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.

“Harassment or bullying” means the creation of a hostile environment by conduct or by threats, intimidation, or abuse, including cyberbullying as defined in Education Law section 11(8), that either:

1. has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or with the student’s mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or
2. reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety.

This Code applies to all acts of harassment or bullying that occur on school property or at a school function, as well as to acts occurring off school property when (i) those acts create or would foreseeably create a risk of substantial disruption within the school environment, and (ii) it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

"Parent" means parent, guardian or person in parental relation to a 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 a public elementary or secondary school, or on a school bus, as defined in Vehicle and Traffic Law §142.

“School function” means any school-sponsored extra-curricular event or activity. For the purposes of this policy, a “school function” is defined as any event, occurring on or off school property, sanctioned or approved by the school, including but not limited to offsite athletic events, school dances, plays, musical productions, field trips or other school-sponsored trips.

“Sexual Orientation” means a person’s actual or perceived heterosexuality, homosexuality, or bisexuality.

“Violent student” means a student under the age of 21 who:

1. Commits an act of violence upon a school employee, or attempts to do so.

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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 the school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
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, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, 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 physical injury or death when used to cause physical injury or death.

For purposes of this policy, "hazing" is defined to mean committing an act against a student, or coercing a student into committing an act, that creates a risk of emotional, physical or psychological harm to the student, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term "hazing" includes, but is not limited to: humiliating, degrading or dangerous activities; substance abuse of alcohol, tobacco or illegal drugs; any activity that intimidates or threatens the student with ostracism, or adversely affects the health or safety of the student; or any activity that causes or requires the student to perform a task or act that is a violation of state or federal law or district policies/regulations.

**III. Essential Partners****A. Role of Teachers and Staff**

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression) or sex, with the intent of strengthening students' self- concept and promote confidence to learn.
2. Be prepared to teach.
3. Reflect a personal enthusiasm for teaching and learning and a genuine concern for the individual student.
4. Guide learning activities so students learn to think and reason, to assume responsibility for their actions and to respect the rights of others.

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5. Know school policies and rules, and enforce them in a fair and consistent manner. Enable students to discuss their problems by listening to students, remaining open-minded, and consulting and acting on student recommendations for problem solving.
6. Give positive reinforcement for acceptable behavior.
7. Demonstrate, by word and personal example, respect for law and order and self-discipline.
8. Refer to a counselor or administrator any student whose behavior requires special attention.
9. Seek to develop close cooperative relationships with parents for the educational benefit of the student by keeping open communication with parents and by sending communications home promptly.
10. Report orally to a DASA Coordinator any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one school day later; and file a written report not later than two (2) school days after the initial oral report.

B. Role of Guidance Counselors

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function
3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
4. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's or staff member's attention in a timely manner.
5. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
6. Regularly review with students their educational progress and career plans (Secondary only).
7. Provide information to assist students with career planning (Secondary Only).
8. Encourage students to benefit from the curriculum and extracurricular programs.
9. Report orally to a DASA Coordinator any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one school day later; and file a written report not later than (2) school days after the initial oral report.

CODE OF CONDUCTC. Role of Administrators

1. Create the best teaching/learning situation possible, exercising all authority assigned by the Superintendent and School Board.
2. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national ethnic group, religion, religious practice disability sexual orientation, gender (including gender identity or expression) or sex, with the intent of strengthening students' confidence and promote learning.
3. Evaluate the program of instruction in the schools to achieve a meaningful education program.
4. Help the staff evaluate their own procedures and attitudes in relation to the interactions within their classrooms.
5. Receive teacher or counselor referrals of students with behavior problems; confer with these students; communicate with parents; and set up cooperative procedures for bringing about modification of the student's behavior.
6. Utilize all appropriate auxiliary staff and outside agencies to help parents and students identify problems and seek solutions.
7. Provide the opportunity for students and staff to approach the administrator directly for redress of grievances.
8. Be fair, firm and consistent in all decisions affecting students, parents and staff.
9. Maintain open lines of communication between the school and the home.
10. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
11. Comply with pertinent laws and regulations governing hearings, suspensions and students' rights.
12. Enable students to discuss their problems by listening to students; remaining open-minded; and consulting and acting on student recommendations for problem solving.
13. Facilitate the professional development of staff members and support inservice programs, as allowed by budget.
14. Establish and communicate the line of administrative authority in the building in the absence of the administrator.
15. Report to a DASA Coordinator any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one school day later.

D. Role of Superintendent

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Maintain a climate of mutual respect and dignity for all students regardless

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of actual or perceived race, color, weight, national ethnic group, religion, religious practice disability sexual orientation, gender (including gender identity or expression) or sex, with the intent of strengthening students' confidence and promote learning.

3. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
4. Inform the Board about educational trends relating to student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
7. Review in a timely manner all reports prepared by the Compliance Coordinator or a DASA Coordinator concerning an incident of alleged harassment, bullying and/or discrimination and ensure that appropriate reports are made to law enforcement and appropriate corrective actions have been taken in school.

E. Role of Parents

1. To achieve a cooperative, wholesome relationship between home and school that is essential to each student's successful development and achievement.
1. Send their child to school as required by the New York State Education Law.
2. Insist on prompt and regular attendance.
3. Make certain that all absences are properly excused.
4. Provide for their child's health, personal cleanliness and suitable grooming and dress.
5. Guide their child from the earliest years to develop acceptable behavior, to exercise self-control and to be accountable for their actions.
6. Teach their child respect for law, for the authority of the school and for the rights and property of others.
7. Know, understand and support the rules their child is expected to observe at school; to be aware of the consequences for any violation of these rules; and to accept legal responsibility for their child's action.
8. Instill in their child a desire to learn by providing a place conducive for study and ensuring completion of homework assignments.
9. Demonstrate an enthusiastic and supportive attitude toward school and education by becoming acquainted with their child's school, its staff, curriculum and activities and by attending parent-teacher conferences and school functions.
10. Provide the school with accurate and up to date information for their children (ie. address, phone #, emergency contact) and other pertinent information relative to legal custody.

CODE OF CONDUCTF. Role of Board of Education

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.
4. Provide adequate numbers and kinds of personnel and sufficient building space, so that the conditions within the school are conducive to a positive learning environment.
5. Listen and react to the views of the total community.
6. Employ qualified personnel who are understanding, sensitive to, and genuinely interested in, young people.
7. Provide time for regularly scheduled inservice training for all school employees.

IV. Public Conduct on School Property

The following rules and regulations are adopted for the maintenance of public order on district property and provide a program for enforcement. These rules shall apply to any individual on school property and/or at school functions (as defined by Section II) including students, teachers and other school personnel, and visitors.

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

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either singly or in concert with others, shall:



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1. Willfully cause physical injury to any other person, or threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he has a lawful right to do, or to do any act which he has a lawful right not to do.
2. Willfully damage or destroy property of the district, or remove or use such property without authorization.
3. Without permission, express or implied, enter into any private office of an administrative officer, faculty member or staff member. This prohibition does not apply to law enforcement officers or individuals designated by the Superintendent to conduct lawful investigations of alleged misconduct.
4. Other than student or employee, enter a classroom or the building beyond the administrative office without written permission of the superintendent or his designee. Parents of students (who are not prohibited by being in their child's classroom by court order) need not obtain written permission from the Superintendent or designee. However, such individuals must be invited by the classroom teacher and must check in with the building principal's office upon arrival and departure.
5. Enter upon and remain in any building or facility for any purpose other than for authorized uses, or in such manner as to obstruct its authorized use by others.
6. Without authorization, remain in any building or facility after it is normally closed.
7. Refuse to leave any building or facility after being requested to do so by an authorized administrator.
8. Obstruct the free movement of persons and vehicles in any place to which these rules apply.
9. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings, or deliberately interfere with any person who desires to express his views, including invited speakers.
10. Have in his possession upon any premises to which these rules apply, any knife, shotgun, pistol, revolver, or other firearm or weapon without the authorization of the superintendent, whether or not a license to possess the same has been issued to such person.
11. Possess, consume, sell or exchange alcoholic beverages, drugs or narcotics on school properties.
12. Use tobacco, nicotine or e-cigarette products on school property or at a school function.
13. Distribute or post any written material, pamphlet or poster without the prior written approval of the superintendent. This should not be construed as conflicting with any rights conferred on staff members by contract or law.
14. Violate the traffic laws, parking regulations or other restrictions on vehicles.

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15. Use in either words, clothing or signs profane, lewd, vulgar or abusive language or words which may incite or offend another person; or constitute a health or safety hazard (including clothing that promotes the sale or use of alcohol, tobacco and/or controlled substances) or a substantial disruption or material interference with the mission, work or discipline of the school community.
16. Urge or incite, guard, protect, aid or abet others in the commission of any of the acts herein prohibited.
17. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, (including gender identity or expression) sexual orientation or disability.
18. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

**B. Penalties and Procedures**

In the case of a violation of this section or any other provision of this code of conduct:

1. Any individual authorized to be on school premises or at a school function (other than students or staff) that violates the rules of this code will be directed to leave the premises or function. In the event of his/her failure or refusal to do so, the Superintendent or designee shall cause his/her ejection from such property.
2. Nothing in this section should be construed as authorizing the presence of any such person at any time, nor affect his/her liability for prosecution for trespassing, loitering, etc., as prescribed in the Penal Law.
3. In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner provided in the applicable sections of this code of conduct or Section 3214(3) of the Education Law.
4. In the case of a faculty member having tenure, charges for misconduct and violation of these rules shall be made, heard and determined in accordance with Section 3020-a of the Education Law.
5. In the case of the faculty member not having tenure, the superintendent shall conduct a hearing after written notice to the teacher of the charges and shall determine the punishment of the teacher if found guilty.
6. In the case of any staff member who holds a position in the classified Civil Service which is covered by Section 75 of the Civil Service Law, charges of misconduct for violation of any of these rules shall be made, heard and determined as prescribed in that section.
7. In the case of any staff member who does not hold a position in the classified Civil Service and is not covered by the provisions of Section 75 of the Civil Service Law, the superintendent shall conduct a hearing after

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written notice to such staff member of the charges, and shall determine the punishment if such staff member is found guilty.

C. Procedures to Inform Law Enforcement Officials of a Crime and Filing Criminal/Juvenile Delinquency Complaints

In the case of a violation of this section or any other provision of this Code of Conduct which constitutes a crime, the Superintendent has established the following procedures to report such an incident to the appropriate law enforcement agency and to follow through with filing a criminal/juvenile delinquency complaint:

1. Any individual who believes that he/she has witnessed a crime either on school premises or at a school function should report it to the appropriate building principal or his/her designee. The principal/designee will gather the necessary information to determine whether he/she believes that a crime has been committed. If so, the appropriate local law enforcement agency will be contacted immediately. If not, the principal/designee will take whatever disciplinary steps may be necessary, consistent with this Code of Conduct. These procedures should be followed in all circumstances except for reporting “child abuse in an educational setting” where the procedures for reporting such incidents are set forth in the statute.
2. If, in consultation with the local law enforcement agency, the school district is deemed the appropriate entity to file a criminal/juvenile delinquency complaint against the code violator, the appropriate school official (e.g., building principal) will be expected to file such a complaint. Where the victim of the crime is an individual, whether a student, teacher, staff member, visitor, etc., the crime victim will be strongly encouraged to file such a complaint.

V. Student Rights and Responsibilities

A. Student Rights

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

1. Students of this district shall have the rights afforded to students under the provisions of the Federal and State constitutions and the laws of the State of New York.

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2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
4. Learn in an environment free of discrimination and harassment based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression) or sex;
5. Participate equally in all school activities regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender (including gender identity or expression) or sex;
6. Have complaints about school-related incidents investigated and responded to.

B. Student Search and Seizure:

1. In order to provide and maintain a safe and appropriate environment for students to learn the following guidelines pertaining to student search and seizure are established.
2. The Board of Education hereby authorizes administrators to undertake searches of students and their possessions (e.g. pocket contents, bookbags, handbags, etc.) should the circumstances arise, based upon reasonable individualized suspicion. In the event of search and seizure, administrators must at all times take great care in searching the person and personal effects of student. The following rules will be observed:
  - a. The search may be undertaken if District employees have prior reasonable individualized suspicion that a student has violated or is violating the law, District policy or regulation or school rules.
  - b. “Reasonable individualized suspicion” is a flexible concept requiring the application of experience and common sense. Determinations should be made on a case-by-case basis, with due consideration of all circumstances. Factors which must be considered in determining whether a school official has sufficient cause to search a student include but are not limited to:
    - 1.) The prevalence and seriousness of the problem for which the search is directed.
    - 2.) The urgency to make the search without delay.

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- 3.) The reliability of the facts upon which to base a reasonable suspicion that the particular student has possession of evidence leading to a violation of school regulations.
  - 4.) The probability that evidence will be discovered.
  - 5.) Students will be asked to empty their pockets and otherwise comply with reasonable search requests. If a student refuses, the parents will be contacted. The police will be contacted in the event that a law enforcement search is required. The student will remain under direct supervision until the search.
- c. Whenever an administrator conducts a search, the circumstances thereof are to be set forth in a written report to be filed with the Superintendent or his/her designee.
  - d. Strip searches are generally not authorized, except in extreme circumstances that involves life safety issues and law enforcement is not available. In the event of circumstances that present unusual questions, the Superintendent or his/her designee must authorize such search.
  - e. Students have no reasonable expectation of privacy rights in school lockers, desks or other school storage places, and the District exercises overriding control over such school property. Lockers, desks and other school storage places may be subject to inspection at any time by school officials.
    1. Student lockers, desks or other school storage places are the property of the District and remain at all times under the control of the District. Students have no expectations of privacy therein. Students are expected, however, to assume full responsibility for the security of their lockers, and the District is not responsible for stolen items. A list of the locker or lock combinations to all student lockers shall be kept in the office of the building principal.
    2. The District retains the right to inspect student lockers, desks or other storage spaces at any time without a search warrant, without notice, and without student consent. Inspections may be conducted by authorized school

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personnel and/or law enforcement officials, and may be conducted with the assistance of drug-detecting dogs.

- f. Trained canines or related technologies may be utilized by the District in searches of students' possessions, school lockers, cars, desks or other school storage with prior approval of the plan by the Building Principal and Superintendent.

3. Police in the School

The police may search a student, or his/her locker in the presence of the principal or his/her designee, if they have a valid warrant to do so or if they have "probable cause" to believe that the student is in possession of contraband. When police are permitted to interview students in school, the students have the same Constitutional rights they have outside the school. Parents will be notified as soon as possible. If police wish to speak to a student concerning an out-of-school matter (in the absence of a warrant or probable cause for suspicion), they will be directed by school authorities to take the matter up directly with the student's parents except as provided in policy #7040, Reporting Child Abuse and Maltreatment.

- C. Student Responsibilities

It shall be the responsibility of the students to:

1. Be aware of and abide by all district policies, school rules and regulations.
2. Accept responsibility for their own actions.
3. Respect the rights of others, including the right to secure an education in an environment that is orderly and disciplined.
4. Attend school regularly and punctually.
5. Take advantage of the academic opportunities offered at school.
6. Support and participate in school activities.
7. Maintain habits of personal cleanliness.
8. Respect school property.
9. Strive for mutually respectful relationships with teachers and administrators recognizing their role as surrogate parent in matters of behavior and discipline.
10. Contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all.
11. Be informed regarding student rights and responsibilities and comply with all rules and regulations of this policy.
12. Act and speak respectfully about issues/concerns.
13. Use non-sexist, non-racist and other non-biased language.

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14. Respect and treat others with tolerance and dignity regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression) or sex.
15. Use communication that is non-confrontational and is not obscene or defamatory.
16. Report acts of bullying, discrimination, harassment and other inappropriate actions that hurt others.
17. The above bill of rights and responsibilities shall be publicized and explained to all students on an annual basis. The manner and extent of the publication shall be determined by the Superintendent or his/her designee.

**VI. 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.

The responsibility for student dress and general appearance shall rest with individual students and parents. However, the Board of Education requires students to attend school in appropriate dress that meets health and safety standards and does not interfere with the learning process. The Board also requires students to wear appropriate protective gear in certain classes (including, but not limited to: home & careers, technology, physical education, science). In addition, the Board prohibits attire bearing an expression or insignia which is obscene or libelous, or which advocates racial, religious, or gender prejudice. The Superintendent of Schools and other designated administrative personnel shall have the authority to require a student to change his/her attire should it, in their opinion, be deemed inappropriate according to the above guidelines. Administrators may discipline students if their dress or grooming endangers their own or others' physical health and safety, or if the dress or grooming is so distracting that it interferes with the learning process. Clothing which is or which bears messages which are lewd, vulgar, obscene, or sexually provocative, as well as clothing bearing messages advocating illegal activities, including drug or alcohol use, is likely to distract students from learning and is therefore forbidden.

The Principal or his/her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline,

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up to and including suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

**VII. Prohibited Student Conduct**

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

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

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

Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. Engage in conduct that is disorderly. Examples of disorderly conduct include:

1. Running in hallways
2. Making unreasonable noise
3. Using language or gestures that are profane, lewd, vulgar or abusive
4. Obstructing vehicular or pedestrian traffic
5. Engaging in any willful act which disrupts the normal operation of the school community
6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate web sites; or any other violation of the district's acceptable use policy.

B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:



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1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect
2. Lateness for, missing or leaving school without permission, failing to follow sign-in/sign-out procedures
3. Skipping detention

C. Engage in conduct that is disruptive. Examples of disruptive conduct include:

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

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

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

E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:

1. Lying to school personnel.
2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
4. Discrimination, which includes the use of a persons actual or perceived race, color, creed, national origin, weight, ethnic group, religion, religious practice, gender, (including gender identity or expression) sexual

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orientation or disability as a basis for treating another in a negative manner.

5. Harassment or bullying, as defined in Section II of the Code of Conduct, labeled "Definitions."
6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
7. Selling, using or possessing obscene material.
8. Using vulgar or abusive language, cursing or swearing.
9. Using, possessing or distributing tobacco or nicotine products including cigarettes, e-cigarettes, cigars, pipes or chewing or smokeless tobacco.
10. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic marijuana or cannabinoids, including but not limited to items labeled as incense, herbal mixtures or potpourri, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
11. Inappropriately using or sharing prescription and over-the-counter drugs
12. Gambling
13. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner
14. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher

F. Engage in misconduct while on a school bus.

It is crucial for students to behave appropriately while riding on district buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.

G. Engage in any form of academic misconduct. Examples of academic misconduct include:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering records.
5. Assisting another student in any of the above actions.

H. In addition to the preceding standards of conduct, the District prohibits discrimination and harassment against any student by employees or students that

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creates a hostile environment by conduct (with or without physical conduct) or verbal statements, intimidation, or abuse. We consider a hostile environment to be created when actions or statements directed at a student either (1) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities, or benefits, or with the student's mental, emotional, or physical well-being including conduct that reasonably causes or would reasonably be expected to cause emotional harm, or (2) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for their physical safety.

This prohibition applies to all acts of harassment or bullying that occur on school property or at a school function, as well as to acts occurring off school property when (i) those acts create or would foreseeably create a risk of substantial disruption within the school environment, and (ii) it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

The prohibition of discrimination includes, but is not limited to, threats, intimidation, or abuse based on the student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex (including gender identity or expression).

I. Disciplinary Responses to Student Misconduct

**The purpose of all discipline is to teach students appropriate and constructive behaviors. Disciplinary measures shall be appropriate to the seriousness of the offense, and where applicable, to the previous discipline record of the student.**

Selected Definitions of Disciplinary Options

**a. Assignment to detention room:** The detention room will be a quiet workplace for students who are sent there or assigned there. The detention room is not a social hour; students assigned to the detention room must work on school-related work during the entire period. Students who are sent to the detention room will be responsible for making up work missed, may be required to stay after school with the assigning teacher, etc.

**b. Lunch Detention:** Students who misbehave in the cafeteria may be assigned to one or multiple lunch detentions. These will be served in the detention room. Students who earn lunch detentions may not return to the cafeteria and will be denied cafeteria privileges until the detention is properly served.

**c. After-school Detention: (2:43-3:17 p.m.):** This detention will be served from the end of classes (2:40 p.m.) until 3:17 p.m. in the room assigned for detentions. Students will not be admitted to the detention room after 2:45 p.m. After-school detentions will be supervised by a school supervisor. Students will be expected to work on school-related work throughout the afternoon without food or socializing. Any lateness to after-school detention will result in the student not being admitted.

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Lateness to detention may be regarded as a cut (see chart for consequences of a cut). In addition, if a student is disruptive or uncooperative in detention, the appropriate consequences will be enforced and the detention may be rescheduled.

**d. After-school LATE Detention: (2:43-4:45 p.m.):** This detention will be served from the end of classes (2:40 p.m.) until 4:45 p.m. in the room assigned for late detentions. Students will not be admitted to the detention room after 2:45 p.m. After-school LATE detentions will be supervised by a school supervisor. Students will be expected to work on school-related work throughout the afternoon without food or socializing. Any lateness to after-school LATE detention will result in the student not being admitted. Lateness to detention may be regarded as a cut (see chart for consequences of a cut). In addition, if a student is disruptive or uncooperative in detention, the appropriate consequences will be enforced and the detention may be rescheduled.

Students who fail to serve after-school detention and after-school LATE detention as assigned will receive progressively more severe consequences (refer to the Administrative Discipline Chart).

**e. In-School Suspension:** “ISS” begins at 8:00 a.m. and ends at 2:40 p.m. A student assigned to an ISS will report to the detention room at 8:00 a.m. Students are required to bring appropriate schoolwork (homework, school projects, school reading, etc.) with them. Students will receive appropriate instruction and the entire day must be spent on school-related work. Students will be permitted, accompanied by a staff member, to leave the detention room once in the morning and once during the afternoon for the purpose of using the bathroom (including getting a drink of water). Lunch will be eaten during a designated time in the detention room. No cell phones, electronic devices or headphones are allowed.

**f. Suspension from School (Out-Of-School Suspension):** When a student’s misbehavior is deemed sufficiently serious, flagrant or repetitious, the Principal has the responsibility and the authority to suspend the student from school for a period of one but not more than five school days. The purposes of suspensions are to remove him/her from the educational process and the school/social environment; emphatically and immediately catch the attention of the student and his/her family to indicate that certain behavior(s) will not be tolerated in the school; set the stage for a disciplinary reinstatement conference which must include the student, the parent or guardian, and a school administrator to modify and redirect certain future behavior(s) toward a more socially acceptable norm; and to clearly send a message to the rest of the student body, other parents and the community that we will not tolerate inappropriate conduct in the school.

**Administrative Discipline Chart – High School**

The referrals (penalties, consequences) set forth in this Administrative Discipline Chart are only guidelines for the determinations of each case by the

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Administration. School Administration, when supported by relevant facts and appropriate circumstances, reserves the right to impose a more severe penalty than that set forth in the referral column based upon the severity of the incident. **All consequences are at the discretion of Administration.** Students facing long-term suspension (in excess of five (5) days) have a right to a Superintendent's Hearing. Students are subject to the rules and regulations cited in the discipline code while appearing at or attending any school-sponsored activity even when that activity is not taking place during normal school hours or on school premises (e.g., athletic contests, field trips, co-curricular activities, student events, etc.). This also includes while on District transportation.

#### A. Referrals

Offense/Violation	First	Second	Third
<b>General Behavior</b>			
1. Minor Disruption	1-5 DET or 1-5 lunch detentions	1-5 DET+ or 1-3 LATE	5 DET plus 10 or more lunch detentions with possible permanent removal from the cafeteria.
2. Insubordination (failure to obey the reasonable request of staff)	1-5 DET	1-3 LATE	1-3 ISS
3. Fighting (starting or participating in)	1-5 SUSP	1-5 SUSP	5 SUSP, Possible Superintendent's Hearing
4a. Use of abusive, profane or vulgar language, gestures or depictions	1-3 DET	1-5 LATE	1-3 ISS
4b. Abusive, profane or vulgar language, gestures, conduct or depictions directed at others	1-5 LATE DET, DASA report	1-5 ISS, DASA report	1-5 SUSP, DASA report

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5a. Bias: acts of bias and/or inappropriate comments including and not limited to race, religion, gender and disability will not be tolerated	1-3 ISS, DASA report	1-5 SUSP, DASA report	5 SUSP, DASA report
5b. Bullying: intimidation or bullying; threatening, stalking or seeking to coerce or compel a person to do something; engaging in the nonverbal, verbal, written, cyber or physical gestures and/or conduct that threatens another with harm, including intimidation through the use of epithets, natural origin, religion, religious practices, gender, sexual orientation, age or disability that substantially disrupts the educational process.	1-5 SUSP, police notification, counseling DASA Report	5 SUSP, police notification, counseling DASA Report	5 SUSP, police notification, counseling DASA Report
6a. Forgery: unauthorized signing of another name, including parent or guardian to any document without the knowledge or permission of the other person	1-5 DET	1-5 ISS	1-5 SUSP
6b. Cheating/plagiarism/allowing others to copy work	Teacher calls home, Credit withheld for assignment	1-5 ISS	2-3 SUSP
7. Inappropriate public display of affection (e.g., beyond hand holding and hugging)	Verbal warning	1-3 ISS	1 SUSP
8a. Possession of vulgar material	1-3 DET	1 ISS	2-3 SUSP
8b. Sexual exhibitionism	1-5 SUSP	5 SUSP	5 SUSP

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8c. Sexual harassment (Generally, sexual harassment refers to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature or unwelcomed behavior of a sexual nature which may have the purpose of creating an intimidating, hostile, or offensive learning environment.)	1-5 SUSP	5 SUSP	5 SUSP
9. Classroom disturbance	Warning, parent notification by teacher	1-3 DET	1-2 ISS
10. Minor disturbances: engaging in any conduct or using any item which does or could reasonably be expected to lead to minor disturbances and/or personal injury	1-3 ISS	2-4 ISS	1-5 SUSP
11. Major disturbances: engaging in any conduct or using any item which does or could reasonably be expected to lead to major disturbance and/or personal injury	1-5 SUSP	5 SUSP	5 SUSP
12a. Misuse of technology: to include, but not limited to, disruption of the educational system due to misuse of school computers or other electronic equipment	1-3 ISS or 1-3 SUSP	1-5 ISS or 1-5 SUSP	1-5 SUSP
12b. Sexting: the act of sending sexually explicit or sexually provocative photos or videos electronically	1-3 SUSP, police notification	1-5 SUSP, police notification	1-5 SUSP, police notification
12c. Use of any form of technology, school or personal, to create and/or distribute any audio or video recordings of students or employees without prior admins approval	1-3 ISS or 1-3 SUSP	1-5 ISS or 1-5 SUSP	1-5 SUSP
13. Misuse of pass/no pass	1-3 DET	1-5 DET	1-3 ISS

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14. Failure to properly identify self	1 ISS	1-5 ISS	1-5 SUSP
15a. Theft and/or reckless destruction	1-3 ISS	3-5 ISS	1-5 SUSP
15b. Major destruction of school or another's property	1-5 SUSP	5 SUSP	5 SUSP
16a. Cell phones: students are permitted to use their cell phones during their lunch period unless it is deemed a distraction by the lunch supervisor.	Verbal warning and/or confiscation	Confiscation, returned at the end of the school day	Confiscation, to be picked up by parent/guardian
16b. iPods and headphones: may be used during a student's lunch period unless it is deemed a distraction by the lunch supervisor.	Verbal warning and/or confiscation	Confiscation, returned at the end of the school day	Confiscation, to be picked up by parent/guardian

### B. Discipline-Related Offenses

Offense/Violation	First	Second	Third
17. Failure to attend or complete after-school detention	2 DET	1-3 ISS	3-5 ISS
18. Failure to attend or complete ISS	2 ISS	1-3 SUSP	3-5 SUSP
19. Transportation infractions	Depending on the severity of the incident, administration reserves the right to assign consequences, including removal from transportation.*	Depending on the severity of the incident, administration reserves the right to assign consequences, including removal from transportation.	Depending on the severity of the incident, administration reserves the right to assign consequences, including removal from transportation.



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When a student is suspended from transportation, it is the responsibility of the parent/guardian to provide transportation to and from school for the duration of the suspension.

#### **C. Health & Safety Offenses**

<b>Offense/Violation</b>	<b>First</b>	<b>Second</b>	<b>Third</b>
20. Possession of laser pointers; use of personal imaging equipment; use of equipment to disrupt an assembly, or in a manner that disrupts the security system of school or impacts the well-being of others	1-2 DET or 1-2 ISS + confiscation	3-4 DET or 1-3 ISS + confiscation	1-5 ISS or 1-5 SUSP + confiscation
21a. Smoking/vaping	2 ISS + confiscation	2 SUSP + confiscation	5 SUSP + confiscation
21b. Use of any tobacco products, smokeless or otherwise	2 ISS + confiscation	2 SUSP + confiscation	5 SUSP + confiscation
22a. Possession and/or sale of tobacco products and lighters, pipes, rolling papers or other smoking paraphernalia, including possession of synthetic cannabinoids, liquid nicotine and the instruments used to consume it, and vaping apparatus	2 ISS, counseling, confiscation	2 SUSP, counseling, confiscation	5 SUSP, counseling, confiscation
22b. Expulsion of bodily fluids in a public area, to include spitting on the floor or in containers	LATE DET	1-5 ISS	1-5 SUSP
23. Leaving campus during the school day without the permission of the school	1 ISS + 2 week suspension of parking (if applicable)	1-2 ISS + 1 month suspension of parking (if applicable)	1-2 SUSP, suspension of parking for remainder of year(if applicable)

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24a. Speeding or reckless driving on school grounds	1-3 ISS + 2 week suspension of parking (if applicable)	3-5 ISS + 1 month suspension of parking (if applicable) Police Notification	1-5 SUSP, suspension of parking for the remainder of the year(if applicable) Police Notification
24b. Parking: Any parking infraction, including: failure to obtain a parking permit, parking in unapproved/unassigned location	1-2 DET+ 2 week suspension of parking	1-3 DET + 1 month suspension of parking	1-5 DET + suspension of parking for remainder of year
24c.. Failure to wear a cloth face mask when required	1-3 DET	1-5 ISS	1-5 SUSP
24d.. Failure to comply with Social Distancing Protocols when required	1-5 DET	1-5 ISS	1-5 SUSP

### **D. Attendance-Related Offenses**

<b>Offense/Violation</b>	<b>First</b>	<b>Second</b>	<b>Third</b>
25. Being on school property for extra-curricular activities during period of ineligibility			
25a. Behavioral ineligibility	1-2 ISS	3-5 ISS	1-5 SUSP
25b. Academic ineligibility	1-2 ISS	3-5 ISS	1-5 ISS

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26. Remaining on campus after the school day without permission or without legitimate after-school purpose	3 DET	1-5 ISS	1-2 SUSP
27a. Unexcused lateness to class	1-3 DET	2-4 LATE DET	5-10 LATE DET
27b. Unexcused lateness to first period when student drives	Official written warning; parent notification; 3-day loss of parking privilege	Loss of parking privilege for 10 days	Loss of parking privilege for 10 days
28. Cutting class	1 DET	1 ISS	2-5 ISS and/or 1-5 SUSP
29. Truancy	1 ISS	3 ISS	1-5 SUSP

### E. Commission of acts which may be crimes under criminal laws

<i><b>Offense/Violation</b></i>	<b>First</b>	<b>Second</b>	<b>Third</b>
30. Use of possession of alcohol, drugs or drug paraphernalia or a substance which the individual believes or represents to be such drugs or alcohol	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing
31. Alcohol/drug distribution or a substance which the individual believes or represents to be such drugs or alcohol	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Sup erintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing

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32. False alarm, bomb scare, threat of harm, misuse of technology to make a threat	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing
33. Possession of fireworks/smoke bombs or any disruptive instrument	1-5 SUSP Police Notification + Superintendent's Hearing	3-5 SUSP Police Notification + Superintendent's Hearing	5 SUSP Police Notification + Superintendent's Hearing
34. Use or sale of fireworks/smoke bombs or any disruptive instrument	5 SUSP Police Notification	5 SUSP Police Notification	5 SUSP Police Notification
35. Weapons possession (any instrument or replica thereof that is used or appears capable of use to inflict serious bodily injury)	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing
36. Brandishing any instrument in a confrontational manner	1-5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	3-5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing
37. Causing a fire/arson	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing
38. Assault	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing	5 SUSP + Parent Conference + Police Notification + Superintendent's Hearing

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39a. Harassment: the ongoing creation of a hostile environment by conduct, threat, intimidation, either verbal or by technological means that substantially interferes with a student's educational performance, opportunities, benefits, either emotionally or physically. To include but not limited to threats or abuse based on religion, disability, sexual orientation, weight, origin, ethnicity, race or color prohibited by the Dignity for All Students Act and/or Federal laws.	Mediation/Counseling and/or 1-3 SUSP, Parent/Police notification DASA Report	3-5 SUSP, Parent/Police notification  DASA Report	5 SUSP, Parent/Police notification  DASA Report
39b. Discrimination: prejudice treatment, exclusion, or bias from a group or category based on race, creed, gender, etc.	Mediation/Counseling and parent notification  DASA Report	1-3 SUSP, Parent notification  DASA Report	5 SUSP, Parent notification  DASA Report
39c. Threatening behavior: committing any act which places another individual or could lead to placing another in a state of harm	Mediation/Counseling and/or 1-3 SUSP, police notification	3-5 SUSP, police notification	5 SUSP, police notification
40. Extortion	5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification

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41. Counterfeiting	5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification
42. Gambling	1-5 DET or 1-3 ISS+ Parent conference + Possible police notification	3-5 ISS or 3-5 SUSP + Parent conference + Possible police notification	3-5 ISS or 3-5 SUSP + Parent conference + Possible police notification
43. Theft (of any items)	1-5 ISS or 1-5 SUSP + Parent conference + Possible police notification	3-5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification
44. Vandalism: Students who willfully destroy, damage, or deface school property shall be subject to disciplinary action (WVCSD Policy 5311.4)	1-5 DET or 1-3 ISS or 1-5 SUSP+ Pay damages.	3-5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification
45. Hazing	1-5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification
46. Trespass on school property including unauthorized presence on school property during a suspension	1-5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification
47. Any other disciplinary infraction which occur on campus, school grounds, school bus, school bus stop or off-campus school-sponsored events, when such infraction constitutes a crime under the Penal Laws of the State of New York	3-5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification	5 SUSP + Parent conference + Police notification

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48. Off-campus misconduct	5 SUSP + Superintendent's hearing	5 SUSP + Superintendent's hearing	5 SUSP + Superintendent's hearing

#### NOTE:

A student found guilty of the above violations may result in a Superintendent's Hearing.

#### J. Removal of disruptive students from the classroom and school property.

##### 1. Teacher Removal of a Disruptive Student from the Classroom

- a. Teachers have a limited authority to remove disruptive pupils from the classroom. Such removal shall be consistent with this code of conduct. Disruptive students are defined as elementary/or secondary pupils, under the age of 21, who are "substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom."
- b. A disruptive pupil may be removed from a teacher's classroom by the teacher for that class and the subsequent days class for each incident of substantial disruption of the educational process or substantial interference with a teacher's authority.
- c. In order to initiate the removal of a student from the classroom, the teacher must first determine that a student is disruptive. The behaviors identified as Level B behaviors under Section VII (I) Disciplinary Responses to Student Misconduct are illustrative of disruptive behavior warranting teacher removal from class. Behaviors which do not rise to the level defined as disruptive shall be subject to traditional disciplinary strategies, in accordance with this policy.

These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or in administrator's office; (2) sending a student to the principal's office for the remainder of the class time only; (3) sending a student to a guidance counselor or other district staff member for counseling; or (4) assignment to time out, or "resolution and recovery". Time-

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honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

In addition, teacher removal of a pupil from the classroom for behavior which warrants a more significant penalty, such as out-of-school suspension, does not preclude the greater discipline.

- d. If the pupil's behavior is merely disruptive (not presenting a continuing danger or an ongoing threat of disruption to the academic process) the teacher shall notify the student of the reasons for the removal prior to the removal and allow the student to present his/her version of the events. If the pupil's behavior does present a continuing danger or ongoing threat as stated above, the teacher may immediately remove the pupil from the classroom; and explain the basis of the removal and allow the student to present his/her version of the events within twenty-four (24) hours of the removal.
- e. A teacher initiating removal of a student from the classroom pursuant to the provisions of this code of conduct shall inform the principal of the basis of the removal and complete a written disciplinary referral form detailing the basis of the removal.
- f. Within 24 hours of the removal, the principal or his/her designee (another administrator) must inform the parent of the reasons for the removal from class. On request, the student/parent must be given an opportunity to discuss reasons with principal or his/her designee. The teacher shall be involved in the conference, unless the principal decides based upon extenuating circumstances that it is not beneficial to have the teacher involved in such conference.
  - 1. If the student denies the charges, the student/parent must be given explanation of basis for removal and an opportunity to represent his/her version. This must take place within 48 hours of the removal.
  - 2. The Principal or his/her designee must decide, by the close of business on the day following the opportunity to be heard by the principal, whether the discipline will be set aside. The principal or his/her designee may only set aside discipline if:
    - a. The charges against the student are not supported by substantial evidence.
    - b. The student's removal is in violation of law.
    - c. The conduct warrants an out-of-school suspension



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and a suspension will be imposed.

- g. The District shall provide continued educational programming to students who are removed from class by a teacher. Such programming shall include placement in an alternative educational program appropriate to individual student needs.

K. Responding to Reports of Possible Harassment or Discrimination

1. In addition to the procedures described below for removal of disruptive students and possible suspension from attendance, the District provides a procedure for responding to reports of possible discrimination or harassment against students by another student, an employee, or any other person on school property or at a school function. The process is described in the District's Equal Opportunity and Nondiscrimination Policy.
2. The District has also designated a Dignity Act Coordinator:

**Lisa Hopkins, Principal**

**Phone: 315-495-4450**

**Julie Suber, Principal**

**Phone 315-495-4550**

The Dignity Act Coordinators are trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, (including gender identity or expression) and sex. They are available to speak with any person who has witnessed possible discrimination or harassment, or if that person has experienced treatment that may be prohibited discrimination or harassment.

L. No Retaliation for Reporting

No act of retaliation may be directed at any person who makes a good faith report of conduct by another person that may reasonably be a violation of this Code, or who assists in, or is part of, the investigation of such a report. To engage in such retaliation is considered a violation of this Code.

**VIII. Suspension from School**

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

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

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

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

A. Short term (five days or less) Suspension from School

When the Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express or overnight, mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the Principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the Principal may establish.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the Principal shall promptly advise the parents in writing of his or her decision. The Principal shall advise the parents that if they are not

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satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within 10 business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

B. Long term (more than five days) Suspension from School

When the Superintendent or Principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The Superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 10 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

C. Permanent suspension

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

D. Minimum Periods of Suspension

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## 1. Students who bring a weapon to school

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

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

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

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

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

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

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

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“repeatedly is substantially disruptive” means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law § 3214 (3-a) and this code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five- day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long- term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

E. Referrals

## 1. Counseling

The Guidance Office shall handle all referrals of students to counseling.

## 2. PINS Petitions

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

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses marijuana or other illegal substance in violation of Penal Law § 221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.

## 3. Juvenile Delinquents and Juvenile Offenders

The Superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court.

- a. Any student under the age of 16 who is found to have brought a weapon to school, except

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- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law § 1.20 (42).

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

F. Prohibition of Corporal Punishment

1. The District recognizes the responsibility of all school personnel, including administrators, faculty and other employees, to see that proper standards of school behavior are maintained. All school personnel are expected to help in maintaining proper levels of supervision.
2. No teacher, administrator, officer, employee or agent of the District shall use corporal punishment against a pupil.
3. As used in this section, corporal punishment means any act of physical force upon a pupil for the purpose of punishing that pupil, except as otherwise provided in subdivision 4 of this section.
4. In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed, nothing contained in this section shall be construed to prohibit the use of reasonable physical force for the following purposes:
  - a. To protect oneself from physical injury;
  - b. To protect another pupil or teacher or any other person from physical injury;
  - c. To protect the property of the school or others; or
  - d. To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of School District functions, powers and duties, if that pupil has refused to comply with a request to refrain from further disruptive acts.
5. The Superintendent of Schools is hereby directed to develop and implement a reporting procedure which will enable the District to summarize complaints relative to the alleged administration of corporal punishment. Such summaries will include references to the substance of each/all complaints, the result(s) of the investigation of each/all complaints, and whatever action(s), if any, was/were taken by the administration of the District. The summary of each/all complaints shall be available for submission to the Commissioner of Education in accordance with Commissioner's Regulations (semi-annually, by January 15<sup>th</sup> and July 15<sup>th</sup> of each year.

CODE OF CONDUCT**IX. Alternative Instruction**

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

**X. Discipline of Students With Disabilities**

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

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

**A. Authorized Suspensions or Removals of Students with Disabilities**

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

A "suspension" means a suspension pursuant to Education Law § 3214.

A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself/herself or others.

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

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:



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- a The Board, the Superintendent or a Principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
- b The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- c The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- d The Superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function or the student causes bodily injury to another person at school, on school premises or at a school function.
  - (1) "Weapon" means the same as "dangerous weapon" under 18 U.S.C. §930(g)(w) 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...[for] a pocket knife with a blade of less than 2 1/2 inches in length."
  - (2) "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
  - (3) "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used



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under any other authority under the Controlled Substances Act or any other federal law.

3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

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

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

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

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If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

- b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA (Individuals with Disabilities Education Act) and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
- a. The Superintendent, Principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
  - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
    - (1) conducted an individual evaluation and determined that the student is not a student with a disability, or
    - (2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the

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manner required by applicable law and regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.
4. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an

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IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
  - a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
  - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
    - (1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
    - (2) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

CODE OF CONDUCTE. Referral to law enforcement and judicial authorities

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

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

**XI. Age Appropriate Restatement of Policy**

You should never feel that it is not safe for you to come to school and participate in all school activities. You should never be prevented from concentrating on your schoolwork because another student or a school staff member is teasing you, making fun of you, pushing you around, or threatening you in some way, because of your race, color, weight, national origin (where your family comes from), ethnic group, religion, religious practices, disability, sexual orientation, gender, (including gender identity or expression) or sex or any other reason.

You may not act toward another student in a way that reasonably might make them feel threatened or unsafe, or that might reasonably make them unable to concentrate on their school work, because of what you think about their race, color, weight, national origin (where their family comes from), ethnic group, religion, religious practices, disability, sexual orientation, gender, (including gender identity or expression) or sex or any other reason. It is against school rules for you to do this by your physical actions or by your verbal statements, including electronic messages.

**XII. Procedure in the Early Identification and Resolution of Discipline Problems**

- A. Pupil service personnel, administrators, teachers and others shall report students who are having problems or appear to be having problems regarding matters covered in the code of conduct to the building principal. Parents also are invited to advise the building principal of concerns the parents may have regarding their children pertaining to the code.
- B. Students are expected to report to teachers or to the building administrator any student who appears to be having discipline problems. Students are expected to cooperate in any conference regarding the discipline of that student that fulfills the Due Process Rights of the Accused Student.
- C. When the building principal is aware of, or has received a report from pupil service personnel, administrators, teachers, students or parents, the building principal shall conduct whatever inquiry the principal considers appropriate.

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- D. If the building principal, after such inquiry, considers there is a basis for concern, the principal shall arrange to have a meeting with the parents and/or guardians and appropriate staff members to review the matter and create a plan to resolve the discipline problems.
- E. The purpose of the procedure is to identify early possible problems and to resolve these disciplinary problems. The district shall assign such support personnel to assist the parties, considering the resources available at any given time.

**XIII. Conduct by School Employees**

- A. Acceptable conduct by school employees shall be consistent with the role of teachers and staff outlined in this code of conduct.

- B. Unacceptable Conduct by School Employees

Unacceptable conduct by school employees shall be evaluated consistent with the strategies and procedures for the maintenance and enforcement of public order on school property, other provisions of this code of conduct and other applicable laws, rules and collective bargaining agreements.

- C. Prohibition of Corporal Punishment

1. The District recognizes the responsibility of all school personnel, including administrators, faculty and other employees, to see that proper standards of school behavior are maintained. All school personnel are expected to help in maintaining proper levels of supervision.
2. No teacher, administrator, officer, employee or agent of the District shall use corporal punishment against a pupil.
3. As used in this section, corporal punishment means any act of physical force upon a pupil for the purpose of punishing that pupil, except as otherwise provided in subdivision 4 of this section.
4. In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed, nothing contained in this section shall be construed to prohibit the use of reasonable physical force for the following purposes:
  - a. To protect oneself from physical injury;
  - b. To protect another pupil or teacher or any other person from physical injury;
  - c. To protect the property of the school or others; or
  - d. To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of School District functions, powers and duties, if that pupil has refused to comply with a request to refrain from further disruptive acts.

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5. The Superintendent of Schools is hereby directed to develop and implement a reporting procedure which will enable the District to summarize complaints relative to the alleged administration of corporal punishment. Such summaries will include references to the substance of each/all complaints, the result(s) of the investigation of each/all complaints, and whatever action(s), if any, was/were taken by the administration of the District. The summary of each/all complaints shall be available for submission to the Commissioner of Education in accordance with Commissioner's Regulations (semi-annually, by January 15<sup>th</sup> and July 15<sup>th</sup> of each year.

D. Acceptable Attire

Appropriate professional attire is expected to be worn by all staff members. Clothing shall be neat and clean, shall not be profane, lewd or offensive; shall not constitute a health or safety hazard (including clothing that promotes the use or sale of alcohol, tobacco and/or controlled substances) or a substantial disruption or material interference with the work or discipline of the school.

E. Communication with Parents, Students, Other School Employees, Administrators or other Persons on School Property

Employees of the district shall refrain from the use of profane, lewd, vulgar or abusive language or words which may incite or offend another person.

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

The district has an established emergency management/school safety plan, which has been developed in accordance with applicable law and regulation to assure the security and safety of students and school personnel.

**XV. Maintenance and Enforcement of Code of Conduct**

A. Annual Review

This code of conduct shall be reviewed annually and updated as necessary, taking into consideration the effectiveness of code provisions and the fairness and consistency of its administration.

B. Modifications to the Code of Conduct

The Board of Education may adopt any revision to the code of conduct only after at least one public hearing that provides for the participation of school personnel, parents, students and any other interested party.



CODE OF CONDUCTC. Review Committee

A school district may establish a committee pursuant to Education Law Section 2801(3) to facilitate the review of this code of conduct and the district's response to code of conduct violations.

D. Filing

Each district shall file a copy of its code of conduct any amendments with the Commissioner of Education no later than thirty days after their respective adoptions.

E. Community Awareness

1. Posting the complete Code of Conduct, respectively, on the District's Internet Web site, including any annual updates or amendments thereto.
2. Provide 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. Provide by mail a plain language summary of the Code of Conduct to all persons in a parental relation to the students before the beginning of each school year and making the summary available thereafter upon request.
4. Provide each existing 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 of Conduct, and providing new teachers with a complete copy of the current Code of Conduct upon their employment.
5. Make complete copies of the Code of Conduct available for review by students, parents or persons in parental relation to students, other school staff, and community members.
6. Provide training to teachers, administrators, and staff designed to address the concepts and issues incorporated in the Dignity Act, including, but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination or harassment against students and/or school employees.
7. Provide "safe and supportive school climate concepts" in the District curriculum.

- F. The District shall develop and implement a program of instruction in grades Kindergarten through Grade 12 that supports development of a school environment free of harassment, bullying and/or discrimination, that raises student and staff awareness and sensitivity to harassment, bullying and /or discrimination, that instructs in the safe and responsible use of the internet and electronic communications and that includes a component on civility, citizenship and character education in accordance with Education Law. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility,



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respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community.

**XVI. In-Service Education Programs**

At the start of each school year, the District shall provide all staff with in-service education regarding District policy for conduct on school grounds and at school functions, methods for promoting a safe and supportive school climate, and ways of discouraging discrimination and/or harassment against students by other students or school employees.

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Stockbridge Valley Central School District

Adopted: 06/22/01, 12/11/01

Revised: 03/08/05, 03/13/07, 08/28/12, 07/02/13, 09/13/16, 10/10/17, 08/11/20, 01/10/23