Sweet Home Central School District

Code of Conduct

2023-2024

"Every Student, One Community, Ready for the Future"

TABLE OF CONTENTS

I. Introduction 4

II. Definitions 4

III. Student Rights and Responsibilities 7

IV. Essential Partners 8

- A. Parents
- B. Teachers
- C. Student Services
- D. Coaches/Advisors
- E. Support Staff
- F. Administrators
- G. Superintendent
- H. Sweet Home Board of Education Members
- I. Dignity for ALL Students Act Coordinators (DACs)

V. Student Civility and Dress Code 14

VI. Prohibited Student Conduct 14

VII. Reporting Violations 18

VIII. Disciplinary Consequences, Procedures and Referrals 19

- A. Consequences
- B. Procedures
- C. Minimum Periods of Suspension
- D. Referrals

IX. Alternative Instruction 24

X. Discipline of Students with Disabilities 25

- A. Authorized Suspensions or Removal of Students with Disabilities
- B. Change of Placement Rule
- C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

D. Expedited Due Process Hearings

E. Referral to Law Enforcement and Judicial Authorities

XI. Corporal Punishment 29

XII. Student Searches and Interrogations 29

A. Student Lockers, Desks and Other Storage Places

B. Police Involvement in Searches and Interrogations of Students

C. Child Protective Services Investigations

XIII. Visitors to Schools 31

XIV. Public Conduct on School Property 32

A. Prohibited Conduct

B. Penalties

C. Enforcement

XV. Dissemination of Code of Conduct 33

I. INTRODUCTION

The Sweet Home Central School District and the Sweet Home Board of Education continues to be committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Appropriate and responsible behavior by students, teachers, district personnel, parents and other visitors is essential to providing such a safe school setting.

Sweet Home Central School District continually sets high expectations for conduct on school property and at school functions. These expectations are based on the qualities of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The Sweet Home Central School Board supports the importance of clearly defined expectations for acceptable conduct on school property, identifying the possible consequences of unacceptable conduct, and ensuring that discipline when necessary is administered promptly and fairly.

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

II. DEFINITIONS

In accordance with the **Dignity for All Students Act**, School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex by school employees or students on school property, on a school bus, or at a school function.

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

"**Bullying**" is the intimidation that includes, but is not limited to, engaging in actions and/or statements that put an individual in fear of harm whether bodily or psychologically.

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

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

"**Educational Process**" is the method by which teachers, staff, parents, students and administrators interact in learning.

"Employee" means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students

or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law Section s11[4] and 1125[3]).

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

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

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

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

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

“School bus” means every motor vehicle owned and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law Section 11[1] and Vehicle and Traffic Law Section 142). This would include waiting for a bus to arrive before and after school and all school events.

“**School function**” means any school-sponsored extracurricular event or activity regardless of location.

“**School property**” means in or within any building, structure, athletic playing field, playground, parking lot or area contained within the real property boundary line of a Sweet Home elementary, middle or high school, or on a school bus or other transportation vehicle that involves moving Sweet Home students.

“**Violence**” means rough or injurious physical force, action, or treatment.

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

- Commits an act of violence upon a school employee
- Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function.
- Possesses a weapon while on school property or at a school function.
- Displays, while on school property or at a school function, what appears to be a weapon.
- Threatens in any manner, while on school property or at a school function, to use a weapon.
- Knowingly and intentionally damages or destroys the personal property of any school, of any school employee or any person lawfully on school property or at a school function.
- Knowingly and intentionally damages or destroys school district property.

"**Weapon**" means a firearm as defined in 18 USC 921 for the purposes of the Gun Free School Act or New York State Penal Law. It also means any other gun, knife, noxious spray, explosive or incendiary bomb or other device, instrument, material or substance that can cause injury or death.

The Dignity for All Students Act identifies 11 protected classes, groups or characteristics. The Dignity Act prohibits discrimination based on actual or perceived characteristics. These 11 protected classes are defined as:

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

Disability means any restriction or lack (due to any impairment) of ability to perform an activity in the manner or within the range considered typical.

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

Gender refers to the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women. (MASCULINE and FEMININE denote "gender.")

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

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

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

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

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

Sexual orientation means the sex to which a person is sexually attracted. Someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual.

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

III. STUDENT RIGHTS & RESPONSIBILITIES

Sweet Home is committed to safeguarding the rights given to all students under state and federal laws.

A. Student Rights

All district students have the right to:

1. A safe, healthy, orderly and civil school environment.
2. To take part in all school activities on an equal basis regardless of race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, sexual orientation, disability or political affiliation, age or marital status.
3. Present their viewpoint of a particular incident or event to appropriate school personnel.
4. Access school rules and, when necessary, receive an explanation of those rules from appropriate school personnel.
5. To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school event, function or activity.

B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless legally excused.
4. Be in class, on time, and prepared to learn.
5. Work to the best of his/her ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
6. React and respond to directions given by teachers, administrators and other school personnel in a respectful, positive manner.
7. Work to develop means to control personal anger.
8. Ask questions when lacking understanding.
9. Seek help in solving problems.
10. Dress appropriately for school and school functions.
11. Accept responsibility for their actions.
12. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events, including interscholastic sports, and to achieve the highest standards of conduct, demeanor, and sportsmanship.
13. Be responsible to supply information of importance to the appropriate staff member in any case where any person and/or property is endangered.
14. Respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act.
15. Conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination.
16. Report and encourage others to report any incidents of intimidation, harassment or discrimination.

IV. ESSENTIAL PARTNERS

The role of essential partners is to support student rights and responsibilities.

A. Parents

All parents are expected to:

1. Recognize that the education of their children is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate, contribute and learn.
3. Ensure their children attend school regularly and arrive on time.
4. Ensure absences are minimal and for reasons that are legally excusable in accordance with the District Attendance Policy.
5. Ensure their child is dressed and groomed in a manner consistent with the student dress code and conducive to learning.
6. Work collaboratively with teachers and administrators to teach their child that in a democratic society, appropriate rules are required to maintain a safe and orderly environment.
7. Know and support school rules and help their children understand them.
8. Exemplify an enthusiastic and supportive attitude toward school and education by acquainting with their child's school, staff, curriculum, and activities. This may include attending parent/teacher conferences, meetings, school functions, and contacting staff regarding concerns.
9. Establish positive working relationships with school personnel and other families.
10. Assist their child in dealing effectively with peer pressure. Work collaboratively with teachers and administrators to teach their children about the ramifications of destructive peer pressure and teasing.
11. Provide accurate family information (ex. address, contact information, legal custody orders, etc.), inform school officials of changes in a home situation that may affect student conduct or performance, and work in cooperation with the school regarding school-related issues.
12. Provide a place for study, ensure homework assignments are completed and submitted on time, and assist their child in acquiring the skills necessary to be organized, prepared learners.
13. Demonstrate dependability, integrity and other standards of ethical conduct, including monitoring their child's online activity (ex. social media) and encouraging students to be responsible in their use of electronic communication.
14. Exemplify conduct that fosters civility, kindness, and acceptance towards all people regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.
15. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
16. Report any school-related safety concerns to a building administrator.

B. Teachers

All teachers are expected to:

1. Lead by example by conducting themselves in a professional, respectful, courteous manner at all times.
2. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, which supports active teaching and learning.
3. 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, sex, gender, sexual orientation, disability, which will strengthen students' self-concept, and promote confidence to learn.
4. Know district/school policies and rules, abide by them, and enforce them in a fair and consistent manner.
5. Be prepared to teach and demonstrate an interest in teaching and professional development.
6. Be knowledgeable about and apply effective classroom/building behavior management strategies and non-violent crisis intervention philosophy and techniques.
7. Know their students as learners and demonstrate a commitment to student achievement.
8. Establish positive working relationships with students, parents and other teachers.
9. Communicate regularly with students and parents that which is important to the student's emotional, social, behavioral and academic progress, including but not limited to:
   a. Course objectives, requirements and expectations.
   b. Grading procedures.
   c. Assignment deadlines, requirements and expectations.
   d. Classroom rules, procedures and expectations for students.
   e. Student progress.
10. Assist students in dealing effectively with peer pressure and emerging personal, social, and emotional issues that affect success at school. Work collaboratively to teach students about the ramifications of destructive peer pressure and teasing.
11. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.
12. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
13. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
14. Maintain confidentiality about all personal information and educational records concerning students and their families.
15. Display proper school identification on their person and in view during the school day and at all job-related functions
16. Be familiar with district and building emergency and security policies and procedures, and assist in their implementation as appropriate/required. Report any school-related safety concerns to a building administrator.

C. Student Services

All student service personnel are expected to:

1. Lead by example by conducting themselves in a professional, respectful, courteous manner at all times.
2. Promote a safe, orderly and stimulating school environment, free from intimidation,

discrimination and harassment, which supports active teaching and learning.

3. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
4. Know school policies and rules, abide by them and enforce them in a fair and consistent manner.
5. Assist students in dealing effectively with peer pressure and emerging personal, social, and emotional issues that affect success at school. Work collaboratively to teach students about the ramifications of destructive peer pressure and teasing.
6. Initiate student, parent, teacher, and/or counselor conferences, as necessary, as a means to promote growth and achievement.
7. Regularly review and assist students in their educational progress and future plans.
8. Coordinate intervention support services, as needed, with students, parents and staff.
9. Encourage students to benefit from the curriculum, co-curricular and extracurricular programs.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
11. Maintain confidentiality about all personal information and educational records concerning students and their families.
12. Display proper school identification on their person and in view during the school day and at all job-related functions.
13. Be familiar with district and building emergency and security policies and procedures, and assist in their implementation as appropriate/required. Report any school-related safety concerns to a building administrator.

D. Coaches/Advisors

All coaches and advisors are expected to:

1. Lead by example by conducting themselves in a professional, respectful, courteous manner at all times.
2. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, which supports active teaching and learning.
3. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
4. Know district/school policies and rules, abide by them, and enforce them in a fair and consistent manner.
5. Establish good relationships with teachers, parents and their student’s.
6. Assist students in dealing effectively with peer pressure and emerging personal, social, and emotional issues that affect success at school. Work collaboratively to teach students about the ramifications of destructive peer pressure and teasing.
7. Inform school officials when they become aware of changes in a student’s home situation that may affect the student’s conduct or performance.
8. Support the development of student participation in appropriate extracurricular activities.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention to the building administrator and/or Dignity Act Coordinator

(DAC) in a timely manner.
10. Maintain confidentiality about all personal information and educational records concerning students and their families.
11. Display proper school identification on their person and in view during the school day and at all job-related functions.
12. Be familiar with district and building emergency and security policies and procedures, and assist in their implementation as appropriate/required. Report any school-related safety concerns to a building administrator.

E. Support Staff (clerical, food service, transportation, buildings & grounds, custodial, hall monitors, and teacher aides)

All support staff personnel are expected to:
1. Lead by example by conducting themselves in a professional, respectful, courteous manner at all times.
2. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, which supports active teaching and learning.
3. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
4. Know district/school policies and rules, abide by them, and enforce them in a fair and consistent manner.
5. Establish good relationships with teachers, parents and students.
6. Assist students in dealing effectively with peer pressure and emerging personal, social, and emotional issues that affect success at school. Work collaboratively to teach students about the ramifications of destructive peer pressure and teasing.
7. Inform school officials when they become aware of changes in a student's home situation that may affect the student's conduct or performance.
8. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
9. Maintain confidentiality about all personal information and educational records concerning students and their families.
10. Display proper school identification on their person and in view during the school day and at all job-related functions.
11. Be familiar with district and building emergency and security policies and procedures, and assist in their implementation as appropriate/required. Report any school-related safety concerns to a building administrator.

F. Administrators

All administrators are expected to:
1. Lead by example by conducting themselves in a professional, respectful, courteous manner at all times.
2. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, which supports active teaching and learning.
3. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a

school setting, which will strengthen students' self-image and promote confidence to learn.

4. Know district/school policies and rules, abide by them, and enforce them in a fair and consistent manner.
5. Require effective classroom management and instruction on a regular basis.
6. Ensure a building-wide behavior management system is in place and supported to meet the needs of all students enrolled in the building.
7. Be responsible for enforcing the Code of Conduct, and ensure that all cases are resolved promptly and fairly.
8. Review the Code of Conduct with their staff at opening faculty meetings and at least one other time throughout the school year and in response to specific incidents or trends that arise during the school year. Provide Code of Conduct summary to all staff members during such meetings.
9. Support the development of student participation in appropriate co-curricular and extracurricular activities.
10. Regularly be available to students and all essential partners to receive communications and engage in conversation about issues and concerns
11. Investigate and appropriately act on incidents of discrimination and harassment that are witnessed or otherwise brought to their attention and report them to Dignity Act Coordinator (DAC) in a timely manner.
12. Maintain confidentiality about all personal information and educational records concerning students and their families.
13. Display proper school identification on their person and in view during the school day and at all job-related functions.
14. Effectively address and resolve any school-related safety concerns reported by members of the school community. Know their school's emergency and security procedures and ensure their proper implementation.

G. Superintendent

The superintendent is expected to:

1. Lead by example by conducting himself/herself in a professional, respectful, courteous manner at all times.
2. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, which supports active teaching and learning.
3. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
4. Know district policies and rules, abide by them, and enforce them in a fair and consistent manner.
5. Review with district administrators the policies of the Board of Education and State and Federal laws relating to school operations and management.
6. Inform the Board of Education about educational trends relating to student discipline.
7. Work to create instructional programs that minimize problems of misconduct and that are sensitive to student and teacher needs.
8. Support the staff charged with enforcing the Code of Conduct and ensure that all cases are resolved promptly and fairly.
9. Include training on Code of Conduct to all new teachers as part of new teacher orientation.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to his/her attention to the building administrator and/or Dignity Act

Coordinator (DAC) in a timely manner.

11. Maintain confidentiality about all personal information and educational records concerning students and their families.
12. Display proper school identification on their person and in view during the school day and at all job-related functions.
13. Effectively address and resolve any school-related safety concerns reported by members of the school community. Know their school's emergency and security procedures and ensure their proper implementation.

H. Sweet Home Board of Education Members

The Sweet Home Board of Education is expected to:

1. Lead by example by conducting themselves in a professional, respectful, courteous manner at all times.
2. Adopt policies that promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, which supports active teaching and learning.
3. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
4. Know school policies and audit them for alignment with district practice.
5. Collaborate with students and all essential partners to develop a Code of Conduct that clearly defines expectations for the conduct of students, visitors, and district personnel on school property and at school functions.
6. 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.
7. Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.

I. Dignity for All Students Act Coordinators (DACs)

All DACs (at least one per building) are expected to:

1. Serve as the lead individual responsible for facilitating implementation of the Dignity for All Students Act (DASA) in the school.
2. Participate in required training in order to respond to human relations in areas including, but not limited to actual and/or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexial orientation, gender/gender identity, and sex, or any other legally protected category.
3. Be accessible to students and other staff for consultation and guidance as needed relative to DASA.
4. Accept and review reports regarding violations of DASA and promptly and thoroughly conduct investigations as appropriate.
5. Maintain a professional and ethical relationship with students and all other District stakeholders.

V. STUDENT CIVILITY & DRESS CODE

All student interaction and communication among themselves, teachers, District administrators, other District personnel and visitors on District property will be appropriate, civil and respectful. Students are expected to behave with dignity and treat others with respect and courtesy. Students should respect their peers, teachers, and school staff. Individual behavior should not interfere with the rights of others. Students are expected to use language that is appropriate in demonstrating respect for self and others. Profanity, vulgar language including, but not limited to, negative comments based on race or ethnicity and obscene comments or gestures toward others will not be tolerated. Appropriate disciplinary action will be taken.

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their caregiver(s) have the primary responsibility for acceptable student dress and appearance. All district personnel, including student teachers, should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance shall be safe, appropriate and should not disrupt or interfere with the educational process. Students may not be excluded from regular instruction because of appearance if style, fashion or taste is the sole criterion for such exclusion.

School authorities may prohibit dress which is so distractive as to interfere with the learning process.

A. Students are not permitted to wear items that are vulgar, obscene, libelous or denigrate others on account of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex.
B. Extremely brief garments, see-through garments and the exposure of undergarments are not appropriate in an educational setting.
C. Clothing/accessories may not promote and/or endorse the use of weapons, alcohol, tobacco or illegal drugs and/or encourage other illegal, violent or sexual activities.
D. Students may not wear head covers, coats, jackets, hoods, blankets or sunglasses during the course of the instructional day, except for those whose religious belief or medical condition dictates otherwise.
E. Students must wear proper footwear at all times.

Each building principal or his or 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 of any revisions to the dress code made during the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item of clothing. Any student who refuses to do so shall be subject to disciplinary action up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline up to and including out-of-school suspension.

VI. PROHIBITED STUDENT CONDUCT

The Sweet Home Central Board of Education members expect 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 Sweet Home Central Board of Education members recognize the need to make its expectations specific and clear for student conduct while on school property or engaged in a school function. The rules of conduct are intended to do that with a 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 district/school rules will be required to accept the consequences for their conduct.

A. All Sweet Home Central School District students may be subject to disciplinary action, up to and including suspension from school, when they:

1. **Engage in conduct that is disorderly or disruptive.** Examples of disorderly conduct include, but are not limited to:
    a. Engaging in any act which disrupts the normal operation of the classroom, school community, and/or educational process. Students are prohibited from engaging in any behavior that disrupts their learning or the learning of other students.
    b. Using language or gestures that are profane, lewd, vulgar or abusive.
    c. Possessing, buying, selling or distributing obscene, illegal or inappropriate materials.
    d. "Horseplay" or similar inappropriate conduct not motivated by anger or malice, including but not limited to, play fighting or pranks involving physical contact or the risk of physical injury.
    e. Running in hallways.
    f. Throwing or shooting objects.
    g. Making inappropriate or unreasonable noise.
    h. Being unprepared for class (repeated, disruptive to classroom procedures)
    i. Obstructing vehicular or pedestrian traffic.
    j. Loitering, or being on school property, unsupervised, without the purpose of participating in an extracurricular/school activity.
    k. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of that building.
    l. Engaging in public displays of affection.
    m. Violating the Student Dress Code as described in Article V above, or as further described in any school's guidelines regarding student dress.

2. **Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:**
    a. Failing to timely comply with the reasonable requests of teachers, school administrators or other school personnel.
    b. Being disrespectful to school personnel.
    c. Lying, deceiving or giving false information to school personnel.
    d. Missing, skipping or being late for school/class, or leaving school without excuse or permission.
    e. Skipping assigned discipline sessions (ex. detention)

3. **Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:**
    a. Committing or attempting to commit an act of violence upon any person lawfully on school property or at a school function.
    b. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause one to fear for his or her physical well-being.
    c. Possessing and/or threatening to use a weapon or what appears to be a weapon. Only authorized law enforcement officials and security personnel may have a weapon

in their possession while on school property or at a school function.

d. Communication by any means, including oral, written or electronic (ex. through the Internet, social media, email or texting) on or off school property, where the content of such communication a) can reasonably be interpreted as a threat to commit an act of violence on school property, or b) results in material or substantial disruption to the educational environment.
e. Fighting or provoking a fight.
f. Intentionally damaging or destroying school district property. This includes graffiti or arson.
g. Intentionally damaging or destroying the personal property of any person lawfully on school property or at a school function.

4. **Engage in any conduct that endangers the safety, morals, health, or welfare of others. Examples of such conduct include, but are not limited to:**
   a. Stealing, or attempting to steal, school district property or the property of others. Students are prohibited from taking, including assisting in the taking of, or being in possession of property that does not belong to them.
   b. 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 group by demeaning them. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, internet, YouTube, etc.).
   c. Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function.
   d. Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender or sex.
   e. Cyber Violations, which include inappropriate and/or unauthorized use of technology (i.e., personal electronic devices such as smartphones or cell phones; computers; cameras; video and/or audio taping equipment; software; etc.) and/or the Internet to engage in behaviors including, but not limited to bullying, intimidating, threatening, harassing, maligning and/or defaming others, accessing websites for non-academic purposes (e.g.social networking; media downloads, etc.), as well as use of unauthorized proxies or “tunneling”. Cyber violations also include violations of the Acceptable Use Policy. Such behavior may result in disciplinary action regardless of whether it occurs on school property and/or at school-sponsored events or off-campus when a nexus between the behavior and substantial disruption to the school environment or material interference with school activities exists or is foreseen to exist.
   f. Intimidating, which includes engaging in actions or statements that put an individual in fear of bodily harm.
   g. Hazing, which includes any intentional or reckless act on school property or at a school activity directed against another for the purpose of intimidation, affiliation or membership.

h. Sexual harassment, which includes unwelcome sexual advances (ex. inappropriate touching), requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
i. Indecent exposure, or exposing parts of the body that are considered private in a manner that could be interpreted to be lewd or indecent.
j. Possessing and/or using tobacco, tobacco/nicotine products, electronic cigarettes, and/or associated paraphernalia including but not limited to lighters and matches.
k. Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, or illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."
l. Inappropriately using, sharing, selling, or attempting to sell, distributing or exchanging prescription and/or over-the-counter drugs.
m. Gambling or wagering for money or something of value on an event with an uncertain outcome in the hope of winning additional money or items of value.
n. Extorting or the use of coercion to obtain money, property or services from another person or entity.
o. Tampering with an AED device and/or defibrillator cabinet, discharging a fire extinguisher, making a false report, pulling a fire alarm, and/or calling -911 without cause.
p. ~~REMOVE: Failure to wear a mask or face covering during a pandemic, as defined by the District's Mask Protocol, effective 2020-21.~~
ADD: Failure to comply with Federal or State mandates related to a pandemic or other emergency or natural disaster.

5. **Engage in inappropriate/misuse of technology.**

Students are prohibited from displaying, using or having powered on, any personal technology equipment (i.e. mobile/cellular telephone, Smartwatch, camera, iPod, video camera, laptop, iPad, tablet, e-reader, laser pointer, etc.) or any other type of telecommunication, multimedia or imaging device ***during class or instructional time***, except as expressly permitted in connection with authorized use in classrooms. This includes audio and video recording.

While students are permitted to possess such devices and their associated accessories (i.e. headphones, earbuds) during the school day, they are prohibited from using them in any manner that interferes with, or is disruptive of the educational process or invades the privacy of, or compromises the safety of students, employees, volunteers, or visitors. This includes in the restrooms and/or locker rooms and/or the videotaping of a physical or verbal altercation. Students are not permitted to use any form of information technology, including their own personal devices to intimidate, harass, or threaten others. This type of harassment is generally referred to as cyberbullying. If a student violates this prohibition, then he/she is subject to discipline under this provision and/or any other provision in this Code of Conduct that may be applicable to the circumstances involved.

Any electronic device that is permitted on school property is encouraged to be kept on the person and in a concealed manner. The Sweet Home Central School District is not responsible for loss or damage to any electronic device.

Examples of misuse of technology include, but are not limited to:

a. Unauthorized use of personal electronic devices/equipment (ex. cell phones, MP3 devices, cameras, and other personal electronic devices deemed inappropriate by the administration) during class or instructional time except when expressly permitted by a teacher or staff member.
b. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system.
c. Harassing or cyberbullying activities through the use of electronic devices, cell phones, photographs or videos.
d. Accessing other users' email accounts or network storage accounts and/or attempting to read, delete, copy, modify, or interfere with the transferring and receiving of electronic communications.
e. Misusing computer/electronic communications devices, including any unauthorized or inappropriate use of computers, software, or Internet/intranet account; accessing inappropriate websites; evading the District's content filter; using an outside wireless network for a non-instructional purpose; or any other violation of the District Acceptable Use Policy.

6. **Engage in misconduct while on a school bus or at a bus stop.**

It is crucial for students to behave appropriately while using district transportation 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. Insubordination, disorderly, disruptive or violent behavior will not be tolerated. Furthermore, students are expected to adhere to all requirements of the Dignity Act while being transported on or waiting for a school bus; students must not engage in harassment, bullying or discrimination.

Examples of such bus misconduct include, but are not limited to:

a. Waiting on private lawns or in the street
b. Approaching the bus before it comes to a complete stop.
c. Bringing live animals, balloons, unwrapped glass containers, aerosol cans or packages having any dimension (length & height & width) exceeding three feet.
d. Extending legs, arms or head out of the bus windows.
e. Throwing items out of the window or within the bus.
f. Exhibiting excessive noise.
g. Smoking, eating, fighting or using foul language.
h. Opening the doors themselves.
i. Using the emergency door except in the case of true emergencies.

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

a. Plagiarism, or the representation of work or ideas of another person as the student's own.
b. Cheating, or submitting work obtained or copied from another student or obtained from a teacher without permission.
c. Collusion, or supporting malpractice by another student, as in allowing one's work to be copied or submitted for assessment by another.
d. Forgery, or signing of another person's name with or without their knowledge.

e. Altering records.
f. Using online platforms (e.g. ChatGPT) to produce work that is not the student's original work.

VII. REPORTING VIOLATIONS

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, support staff, the building principal or his/her designee. Any student observing an individual committing, attempting to commit, or threatening to commit an act of violence; possessing or threatening to use a weapon; or possessing alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or to the Superintendent.

The building principal or his/her designee must notify the appropriate local law enforcement agency of code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but no later than the close of school the day the principal or his or her designee learns of the violation. The notification must identify the student and explain the conduct that violated the Code of Conduct that constituted a crime.

VIII. DISCIPLINARY CONSEQUENCES, PROCEDURES & REFERRALS

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. All staff are expected to promptly report violations of the Code of Conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

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

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

1. Student's age.
2. Nature of the offense and the circumstances which led to the offense.
3. Student's prior disciplinary record.
4. Effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others.
6. Extenuating circumstances.

A. Consequences

Students who are found to violate the District's Code of Conduct may be subject to consequences, either alone or in combination. The school personnel listed after each consequence are authorized to impose that consequence, consistent with the student's right to due process.

1. Verbal warning – any member of the Sweet Home Central School District staff.
2. Written warning – any member of the Sweet Home Central School District staff.

3. Written notification to parent – any member of the Sweet Home Central School District staff.
4. Detention – teachers, principal, superintendent.
5. Suspension from transportation – principal, superintendent.
6. Suspension from athletic participation – principal, superintendent.
7. Suspension from extracurricular activities – principal, superintendent.
8. Suspension of privileges – principal, superintendent.
9. In-school suspension – principal, superintendent.
10. Community Service – high school principal, superintendent.
11. Restorative or Reflective Project - principal, superintendent.
12. Removal from classroom– teachers, principal.
13. Short-term (five days or less) suspension from school – principal, superintendent.
14. Long-term suspension (more than five days) suspension from school – superintendent. Offenses by middle and high school students in the following areas would usually result in building-level suspension of five days along with a referral to a Superintendent hearing:
15. use of alcohol/drugs;
16. fighting/physical altercation;
17. deliberate destruction of school property/vandalism;
18. theft of any kind; and
19. sexual misconduct.
20. Permanent suspension from school – superintendent, Board of Education.

B. Procedures

The amount of due process a student is entitled to receive before a consequence is imposed depends on the consequence being imposed. In all cases, regardless of the consequence imposed, the school personnel authorized to impose the consequence must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary consequence in connection with the imposition of the consequence.

Students given consequences other than oral warning, written warning or written notification to their parents are entitled to additional rights before the consequence is imposed. These additional rights are explained below.

1. Detention – Teachers, principals and the Superintendent may use after -school detention as a consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate.
2. Suspension from transportation – If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the transportation supervisors or building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the supervisor, principal, superintendent or designee. In such cases, the student's parent will become responsible for his or her child getting to and from school safely.
3. Suspension from athletic participation, extra-curricular activities and other privileges – A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district officials imposing the suspension to discuss the conduct and the consequences involved.
4. In-school suspension – A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district officials imposing the in-school suspension to discuss the conduct and the consequences involved.
5. Community Service – Principal and Superintendent may use community service in lieu of

in-school suspension in situations where removal from class is not in the best interest of the student. The student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official assigning community service to discuss the conduct and the consequences involved.

6. Teacher disciplinary removal of disruptive students – A student's behavior can affect a teacher's ability to teach and can make it difficult for other students to learn.
    a. On occasion, a student's behavior may become disruptive. For the purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.
    b. A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only. The teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.
    c. If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.
    d. The teacher must complete a district established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but not later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the office secretary and meet with the principal or designee prior to the beginning of classes on the next school day.
    e. Within 24 hours after the student's removal, the teacher, principal or another district administrator designated by the principal must notify the student's parents in writing that the student has been removed from class and state why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or designee to discuss the reasons for the removal.
    f. The written notice (form) must be provided by personal delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal. Where possible, notice should also be provided by telephone for the purpose of contacting parents.
    g. The teacher who ordered the removal will be required to attend a requested informal conference. If, at the informal meeting, the student denies the charges, the principal or designee must explain why the student was removed and must give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal.
    h. The principal or designee may overturn the removal of the student from class if the principal finds any one of the following:
    i. The charges against the student are not supported by substantial evidence.
    j. The student's removal is in violation of law, including the district's Code of Conduct.
    k. The conduct warrants suspension from school and a suspension will be imposed.
    l. The principal or designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48 hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires.
    m. Any disruptive student removed from the classroom by the classroom teacher shall be

offered continued educational programming and activities until he or she is permitted to return to the classroom.

n. Each teacher must keep a complete log for all cases of removal of students from his or her class. The principal or designee must keep a log of all removals of students from class.
o. Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from class until the teacher has verified with the principal or Director of Special Education that the removal will not violate the student's rights under state or federal law or regulation.

7. Suspension from school – Suspension from school is a severe consequence 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. The members of the school board retain authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building principals.
8. Short-term (5 days or less) suspension from school.
    a. When the Superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law S3214(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 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.
    b. 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 established by the principal.
    c. 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 poses 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.
    d. After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances preclude 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 within 30 days of the decision.

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

a. Offenses by ~~middle and high school~~ students in the following areas would usually result in building-level suspension of five days along with a referral to a Superintendent hearing: 1) use of alcohol/drugs; 2) fighting/physical altercation; 3) deliberate destruction of school property / vandalism; 4) theft of any kind; and 5) sexual misconduct.
b. When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing, the student shall have the right to be represented by counsel, the right to question witnesses against him or her, and the right to present witnesses and other evidence on his or her behalf.
c. The Superintendent shall personally hear and determine the proceedings 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 issue subpoenas in conjunction with 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.
d. 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 preclude 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 within 30 days of the decision.

10. Permanent suspension
    a. 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.

C. Minimum Periods of Suspension

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 S3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the following:
    a. The student's age.
    b. The student's grade in school.
    c. The student's prior disciplinary record.
    d. The superintendent's belief that other forms of discipline may be more effective.
    e. Input from parents, teachers and/or others.
    f. Other extenuating circumstances.
    g. 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 consequence is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a short-term suspension. If the proposed consequence exceeds the minimum five-day suspension, the student and the student's parents 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 consequence, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

   Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for a period of up to five days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law S3214 (3a) and this code. 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 consequence exceeds a 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 suspensions on a case-by-case basis. In deciding whether to modify the consequence, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

D. Referrals

1. Administration, support services and the Family Support Center shall handle referrals of students for counseling.

2. Juvenile Delinquents and Juvenile Offenders – The superintendent is required to refer the following students to the District Attorney for a juvenile delinquency proceeding before the Family Court:
   a. Any student under the age of 16 who is found to have brought a weapon to school, or
   b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law S120(42).

3. The District may file a PINS (Person in Need of Supervision) petition in Family Court on any student under the age of eighteen (18) who demonstrates that he or she requires supervision and treatment by:
   a. Being habitually truant and not attending school as required under the Education Law;
   b. Engaging in an ongoing or continued course of conduct that makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school; or
   c. Knowingly and unlawfully possessing a controlled substance in violation of the Penal Law.

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

IX. 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 S3214, the district will take immediate steps to provide alternative means of instruction for the student.

X. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities 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 Removal of Students with Disabilities

For purposes of this section of the Code of Conduct, the following definitions apply:

1. A “suspension” means a suspension pursuant to Education Law S3214.

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

3. 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.

   School personnel may order the suspension or removal of a student with a disability from his or her current educational placement under the following conditions:

   a. The board, the district (BOCES) Superintendent of Schools or a building principal may order the placement of a student with a disability in an IAES, another setting or suspension for a period 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 in 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.

e. “Weapon” means the same as “dangerous weapon” under 18 U.S.C. S930(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.

f. “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.

g. “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

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

A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:

1. For more than 10 consecutive school days; or

2. 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.

School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student’s disability, or the student is

placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

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

1. The District's Committee on Special Education shall:

    a. Conduct functional behavioral assessments to determine why 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.

    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 the Individuals with Disabilities Education Act (IDEA) and Article 89 of the Education Law (Article 89) at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

    a. The Superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.

    b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the District had knowledge the student was a student with a disability, the District either:

        i. Conducted an individual evaluation and determined that the student is not a student with a disability, or

        ii. Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by

applicable law and regulations.

If there is no basis for knowledge that the 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 parents of a student with disabilities subject to a suspension of five consecutive school days or less has 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 consequence 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 a student's disability.

7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:

1. 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.

2. 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.

a. 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.

b. 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.

3. 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.

E. Referral to Law Enforcement and Judicial Authorities

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

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.

2. The superintendent 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. CORPORAL PUNISHMENT

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

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

A. Protect oneself, another student, staff member or any person from physical injury.
B. Protect the property of the school or others.
C. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

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

XII. STUDENT SEARCHES & INTERROGATIONS

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

In addition, the Board authorizes the superintendent, building principals and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the District Code of Conduct.

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

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the District Code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

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

A. Student Lockers, Desks and other School Storage Places

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

B. Police Involvement in Searches and Interrogations of Students

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

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

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

questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

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

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

C. Child Protective Services Investigations

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

All requests by child protective services to interview a student on school property shall be made directly to building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex.

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

XIII. VISITORS TO THE SCHOOLS

Since schools are a place of work and learning, certain limits must be set for visits and visitors. The building principal or his/her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member, district employee, or student of the school will be considered a visitor.
2. Prior to entering the building, all visitors should be prepared to provide government issued photo identification and state the purpose for their visit. They will be required to register through our Raptor Visitor Management System and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the attendance office upon exiting the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, may not be required to register.
4. Parents who wish to observe a classroom while school is in session are required to arrange such visits in advance with the building principal in accordance with building procedures, so that class disruption is kept to a minimum.
5. Teachers are not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the principal or his/her

designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.

7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

XIV. PUBLIC CONDUCT ON SCHOOL PROPERTY

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

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 following all established school and district policies and regulations. 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 alone or with others, shall engage in behavior deemed inappropriate for the school setting. Examples include, but are not limited to:

1. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or specifically authorized by the school district.
2. Intentionally injure any person or threaten to do so.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Refuse to comply with any reasonable request of school district personnel, including but not limited to, leaving the property or moving a vehicle.
5. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
6. Intimidate, threaten, harass, bully, or discriminate against any person on the basis of the person’s actual or perceived race, color, weight, creed, national origin, ethnic group, religion, religious practice, age, gender, sexual orientation or disability.
7. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, or other district employee, or any person lawfully on school property. This includes graffiti or arson.
8. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
9. Obstruct the free movement of any person is any place to which this Code applies.
10. Violate traffic directions, signs or traffic control devices, parking regulations or other restrictions on vehicles.
11. Possess, consume, sell, distribute share, or exchange alcoholic beverages or controlled substances unless prescribed to a specific individual by a medical professional, or be under the influence of any such item on school property or at a school function.
12. Smoke or use any tobacco or nicotine products, including e-cigarettes, on school property or grounds.

13. Loiter on or about school property.
14. Gamble on school property or at a school function, not to include charitable gaming as defined by the New York State Gaming Commission
15. Violate the Acceptable Use of Technology procedures established by the District.
16. Willfully incite others to commit any of the acts prohibited by this Code.
17. Violate any federal or state statute, local ordinance or Board of Education policy while on school property or while at a school function.

B. Penalties

Persons who violate this Code of Conduct shall be subject to the following penalties:

1. Visitors/Spectators: Their authorization, if any, to remain on school grounds or at school functions may be withdrawn/suspended and they may be directed to leave the premises. If they refuse to leave, they shall be subject to ejection by designated security or law enforcement officials. The length of said suspension shall be determined by the severity of the violation, and violators will receive written notice of the District's determination.

2. Students: They may be subject to disciplinary action as the facts may warrant in accordance with due process requirements.

3. School Personnel: They may be subject to disciplinary action as the facts may warrant in accordance with due process requirements.

C. Enforcement

The District is responsible for enforcing this Code of Conduct.

XV. DISSEMINATION OF CODE OF CONDUCT

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

A. Providing copies of a summary of the Code of Conduct to all students in an age-appropriate, plain-language version at the beginning of each school year.

B. Providing a summary of the Code of Conduct written in plain language to all parents of the district students before the beginning of the school year and making summary available later upon request.

C. Providing all current teachers and other staff members with a copy of the Code of Conduct and a copy of any amendments to the code as soon as practicable after adoption.

D. Providing all new employees with a copy of the current Code of Conduct when they are first hired.

E.

F. Making copies of the Code of Conduct available for review by students, parents and other community members.

The Board of Education will review this Code of Conduct every year and update it as necessary.

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

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