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Plain Language Version of the CODE OF CONDUCT

This Plain Language edition of the Code of Conduct is designed to be a quick reference guide for school conduct information. For a detailed explanation, see the full version of the Code of Conduct.

Code of Conduct

Code of Conduct - Plain Language Version

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STANDARD NOTICE OF NON-DISCRIMINATION

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

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

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I. Introduction: **Reference: Full Version-page 5**

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

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

II. Dignity Act: **Reference: Full Version – page 5**

Anyone who observes any violation of the Dignity Act shall report this information immediately to the Board of Education approved Dignity Act Coordinator of the respective building in which the incident occurred. As per the Dignity Act, reporting of an incident must take place within one day if given verbally or two days if the report is given in writing. This report may be given to the Dignity Act Coordinator's designee. The Dignity Act Coordinators for each program are:

Career and Technical Education – Executive Principal, Jeffrey Molusky

Elementary Programs – Executive Principal, Megan Becker

Secondary Programs – Executive Principal, Linda Blanton

Under the Dignity Act, there are currently eleven (11) protected classes, groups, or characteristics. The Dignity Act prohibits any discrimination, harassment, and persecution on the basis of actual or perceived: race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

III. Definitions: **Reference: Full Version-page 6**

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

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

"School Property" means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus (Education Law §11[1] and Vehicle and Traffic Law §142).

"School function" means a school-sponsored extra-curricular event or activity (Education Law §11[2]).

IV. Student Rights and Responsibilities: **Reference: Full Version-page 9**

A. **Rights of Students.**

Education in a free society demands that students be aware of their rights and learn to exercise them responsibly. With this in mind, students have a right:

- to be provided with an education that is intellectually challenging and relevant to the demands of the 21st century;
- to participate in district activities on an equal basis regardless of race, color, creed, national origin, religion, gender, disability, sexual orientation, or any other legally protected category;
- to be informed of all school rules;
- to be guided by a discipline policy that is fairly and consistently implemented, and learn appropriate behaviors for the school/work environment.

B. *Student Responsibilities.*

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

- to show respect to other persons and property;
- obey all school rules and regulations including but not limited to being familiar with and abiding by all Sullivan BOCES student conduct expectations;
- work to the best of their ability in all educational and extracurricular pursuits and strive toward their highest level of achievement;
- respond to the direction given by teachers, administrators, and other school personnel in a respectful, positive manner;
- accept responsibility for their actions;
- actively discourage inappropriate behavior of other students and report any incidents to the administration;
- conduct themselves as representatives of the Sullivan BOCES programs when participating in or attending school-sponsored extracurricular events, and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

C. *Cell Phone Policy:*

In order to maximize student engagement and learning, Sullivan BOCES is committed to providing a learning environment that is safe and free of distractions. Students are expected to place cell phones in designated cell phone lockers/receptacles upon arrival to their assigned classrooms. Upon dismissal from school students are expected to retrieve their cell phones from the locker/receptacle.

V. School and Classroom Conduct Rules: *Reference: Full Version-page 10*

A. *All Staff*

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

The Dignity Act emphasizes the importance of tolerance and respect for others by

students and staff alike. Therefore, all members of the school community, including essential partners such as superintendents, school board members, parents, students, teachers, guidance counselors, principal/administrators, support staff, and other school personnel have particularly important roles to play in its implementation.

Maintaining acceptable student behavior is the business of every District employee - principals, teachers, aides, cafeteria workers, custodians, secretaries, and all other staff members; it is not just the business of the classroom teacher or the Principal/Supervisor to discipline students. All staff are responsible for helping students select appropriate behavior patterns. Staff have the right to make a reasonable request(s) of a student and/or to question a student. Further, as they carry out their responsibilities to ensure the safety and well-being of everyone, they may request that a student do something contrary to the student's wishes. It is the student's obligation to comply with a request. Failure to follow such directions may be considered insubordination and subject to a range of penalties, including the possibility of suspension.

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

- verbal warnings or reprimands;
- written warnings or reprimands;
- requests for conferences with guidance counselors, coaches, advisors, and/or administration;
- requests for parent conferences

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

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

Students who engage in misconduct while on the BOCES-sponsored bus or at any BOCES-sponsored activity, whether on or off campus, will be subject to consequences. Students must behave appropriately while riding on district buses to ensure their safety and that of the other passengers, and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards on school property. Students waiting for buses when not on school property are expected to conduct themselves in accordance with the district's Code of Conduct. It is the **home school district that is responsible** for inappropriate bus behavior and/or consequences in that situation.

B. *Teachers*

All teachers have devised a clear set of classroom management and behavior guidelines and expectations.

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

promptly.

- Teachers will uphold the Dignity Act.

C. ***Counselors***

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

- assist students in coping with peer pressure and emerging personal, social, and emotional problems;
- uphold the Dignity Act; and
- work closely with parents to establish a wholesome relationship between home and school by sending communications home regularly and promptly;

D. ***Building Administrators***

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

- seek to develop a sound and healthful atmosphere of mutual respect within the school;
- evaluate the program of instruction in the school to achieve a meaningful educational program;
- help the staff evaluate their own procedures and attitudes concerning the interactions within their classrooms;
- enforce this code in a consistent manner and in coordination with teachers and counselors.

E. ***Superintendent of Schools***

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

- consider and act upon recommendations for suspensions in keeping with the policy of the Board, and this Code;
- Uphold the Dignity Act; and
- provide for the development of innovative educational programs that may help to minimize problems of misconduct and which may be sensitive to the needs of the faculty

F. ***Board of Cooperative Educational Services***

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

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

VI. Essential Partners: **Reference: Full Version-page 13**

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

A. **Parents**

All parents are expected to:

- recognize that the education of their children is a joint responsibility of the parent, school, and community;
- ensure that their children attend school regularly and on time

B. **ALL BOCES Administrators, Instructional, Non-Instructional, and Support Staff**

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

- demonstrate desirable standards of behavior through personal example;
- treat students in an ethical and responsible manner;
- comply with policy and procedures regarding confidential information.
- As per the Dignity Act:
 - Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students' confidence and promote learning

C. **Teachers**

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

- plan and conduct a product of instruction that will make learning challenging and stimulating;
- communicate regularly with students, parents, and other teachers concerning growth and achievement; and
- Uphold the Dignity Act

D. **District Superintendent**

- Promote a safe, orderly, and stimulating school environment, supporting teaching and learning.
- Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
- Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

VII. Remote Learning: **Reference: Full Version –page 16**

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

behavior and to teach responsible Internet usage. These Procedures do not supersede or replace the Sullivan BOCES Computer Use in Schools Policy.

VIII. Academic Integrity Policy: **Reference: Full Version- page 18**

Sullivan BOCES values honesty and academic integrity. Therefore, we pledge to help students understand these values and their importance. Cheating includes unpermitted collaboration on assigned work, or work submitted by any student, including but not limited to papers, projects, products, lab reports, other reports, and homework. Using unauthorized materials (electronically on calculators or cell phones) to complete an examination or assignment

IX. Student Driving Permit: **Reference: Full Version-page 18**

Students must obtain permission **prior** to driving to school.

Permission slips are available in the CTE or BOCES main office. Students must have the signatures of the home school principal, parent/guardian, employer, teacher, and BOCES administrator.

Permission to drive shall be granted on an event-by-event or situation-by-situation basis. Verification of student employment may be requested. Students MAY NOT TRANSPORT any other student under any circumstance. Driving privileges will be immediately terminated if this situation occurs.

X. Prohibited Student Conduct: **Reference: Full Version-page 19**

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

The best discipline is self-imposed and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior.

Engage in conduct that is disruptive, disorderly, destructive, and/or insubordinate: Examples of such conduct include but are not limited to:

- failing to comply with the lawful directions of teachers, school administrators, or other school personnel in charge of students;
- unauthorized use of electronic devices such as, but not limited to, cell phones, music players, video game players;
- failing to comply with the lawful directions of teachers, school administrators, or other school employees in charge of students;
- using language or gestures that are profane, lewd, vulgar, abusive, harassing, or bullying; or
- engaging in any willful act which disrupts the normal operation of the school community.

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

- stealing;
- verbal, cyberbullying, or physical taunting or bullying;
- acts of sexual harassment;
- selling, using, or possessing obscene material;
- smoking a cigarette, e-cigarette, juul, cigar, pipe, vaporizing pen, or using chewing or smokeless tobacco;
- under the influence of, possessing, consuming, selling, distributing, or exchanging alcoholic beverages, illegal or controlled substances, or synthetic drugs;
- unauthorized possession of or inappropriately using or sharing prescription and/or over-the-counter drugs, aerosols; and
- initiating false alarms, bomb threats, and pulling fire alarms

Engaging in any form of academic misconduct, which includes, but is not limited to, plagiarism and cheating.

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

- committing or threatening an act of violence (such as hitting, kicking, biting, spitting, punching, hair pulling, and scratching) upon another student, teacher, administrator, and/or another school employee, and/or any other person on school property;
- possessing a weapon; authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function;
- threatening to use any weapon; displaying what appears to be a weapon;

XI. Remedial Responses: **References: Full Version-page 23**

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

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

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

- Supervisory systems that empower school staff with prevention and intervention tools to address incidents of bullying and harassment;
- School and community surveys or other strategies for determining the conditions contributing to relevant behavior;

- Adoption of research-based, systemic harassment prevention programs;
- Modification of schedules;
- Adjustment in hallway traffic and other student routes of travel;
- Targeted use of monitors;
- Staff professional development;
- Parent conferences;
- Involvement of parent-teacher organizations; and
- Peer support groups.

XII. Reporting Violations of the Code of Conduct: **Reference:** *Full Version-page 24*

All students are expected to promptly report violations of the code of conduct and any potential criminal activity to a teacher, guidance counselor, the building principal, or his or her designee. Any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee, or the District Superintendent.

XIII. Student Dress Code: **Reference:** *Full Version-page 26*

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. When determining the appropriate consequences and/or remedial responses for a student's refusal to comply, staff will assess the student's behavior consistent with the range of consequences and/or remedial responses set forth above in BOCES' Code of Conduct.

XIV. Removal of Disruptive Students from the Classroom by a Teacher: **Reference:** *Full Version-page 27*

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he/she is permitted to return to the classroom. The Principal and the teacher must keep a log of all removals of students from class.

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

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

XV. Discipline of Students with Disabilities: **Reference:** *Full Version-page 34*

At times it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address behavior that violates the Code of Conduct. Procedures followed for suspending,

removing, or otherwise changing the educational placement of a student with a disability must be consistent with the procedural safeguards required by applicable laws and Part 201 of the Regulations of the Commissioner of Education.

Authorized Suspension or Removals of Students with Disabilities

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 learner poses a risk of harm to himself/herself or others.

The District Superintendent, program administrator, or his/her designee may suspend a student with a disability from his or her current educational placement.

Change of Placement Rule

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

- for more than 10 consecutive school days; or
- 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

District’s Committee on Special Education

The District's Committee on Special Education shall arrange for a functional behavioral assessment to be conducted to determine why a student engages in a particular behavior, and develop or review a behavioral intervention plan whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an Interim Alternative Educational Setting for misconduct involving weapons, illegal drugs, controlled substances or serious bodily injury.

Manifestation Hearing

A student classified or deemed to be known as having a disability under the Individuals with Disabilities Education Act (hereinafter “IDEA”) (a student with an educational disability,) must have a manifestation hearing by the Committee on Special Education (hereinafter the “CSE). CSE must determine whether the conduct underlying the charges was a result of or a manifestation of the disability:

Suspension for Misconduct Involving Weapons and/or Drugs

A student classified or deemed to be known as having an educational disability under IDEA may be suspended and placed in an interim alternative educational setting for up to forty-five (45) days (less if the discipline is for a non-disabled student), if the student carries a weapon to school or a school function, or knowingly possesses or uses illegal drugs and/or prescription drugs, or

sells or solicits the sale of a controlled substance while at school or a school function and, in some instances, makes serious threats to cause loss of life to another person.

- The term “weapon,” means a weapon or firearm as defined in 18 USC§ 930 and 18 USC § 921 respectively of the Gun-Free Schools Act and or violation of the Penal Code. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, bullet, disguised gun, air gun, BBgun, spring gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious sprays, explosive or incendiary bomb, or other devices, instrument, material or substance that can cause serious physical injury or death when used as a weapon (e.g. pocket knife, folding knife, lockback knife, or pen knife). Any “look-a-like” or other instruments wielded as a weapon are considered a weapon for purposes of this definition.
- “Illegal Drugs” means controlled substances not legally possessed.

Before a student is suspended and placed in an interim alternative educational setting for up to 45 days for behavior involving weapons and/or drugs, the CSE must conduct a manifestation determination.

XVI. Searches: **Reference: Full Version-page 35**

Student Lockers, Desks, and other School Storage Places

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

Police Involvement in Searches and Interrogation of Students:

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. The investigation should be conducted in a manner that minimizes the disruption of the school environment.

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

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

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

DRUG DETECTING CANINES

Purpose and Philosophy

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

Child Protective Services Investigations

Consistent with the BOCES commitment to keep students safe from harm and the obligation of school officials as mandated New York State reporters to report certain conduct to law enforcement the BOCES must report to Child Protective Services when it has reasonable cause to suspect that a student has been abused or maltreated. The reporting staff member will fill out Form #DSS-221A according to policy guidelines. The BOCES will cooperate with the local Child Protective Services worker who wishes to conduct interviews of the student on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

A Child Protective Services worker may not remove a student from school property without a court order unless the worker reasonably believes that the student is immediately threatened with harm and there is insufficient time to seek prior judicial authorization.

XVII. Corporal Punishment: **Reference: Full Version-page 37**

Corporal punishment of any student by any district employee is strictly forbidden.

XVIII. Emergency Intervention: **Reference: Full Version-page 37**

In situations where behavioral intervention procedures and methods are not reasonably effective, then use of physical intervention techniques may be used to protect the student in crisis, another student, staff, or property.

XIX. Visitors of BOCES: **Reference: Full Version-page 38**

Anyone who is not a BOCES staff member or a BOCES student will be considered a visitor. Please refer to the full version of this Code for applicable rules.

XX. Public Conduct on BOCES Property: **Reference: Full Version-page 38**

The BOCES is committed to providing an orderly, respectful environment that is conducive to learning. The purpose of this Code is to maintain public order and prevent abuse of the rights of others.

XXI. Policies/Staff Development: **Reference: Full Version-page 40**

BOCES currently has various policies in place which allow students the opportunity to be successful. The implementation of various policies and programs will result in fewer disciplinary problems and will help foster positive behaviors.

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

XXII. Dissemination and Review: **Reference: Full Version-page 41**

Dissemination of Code of Conduct

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

XXIII. Prohibition of Retaliation: **Reference:** *Full Version-page 42*

Anyone who believes a student has been subjected to discrimination, harassment, or bullying by an employee or a student, on school grounds or at a school function, and in good faith reports such information to school officials, the Commissioner of Education, or the police, shall have immunity from any civil liability that may arise from the making of such report.