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**I. Introduction**

**Why we have a Code of Conduct**

The East Islip School District has developed and implemented a set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity.

An individual's character reflects the attitudes, attributes and moral convictions that shape his or her conduct. The development of good character is essential to responsible behavior and academic success in school today and future success in college, career, and life.

This Code of Conduct addresses both the development of student character and conduct. The code, in conjunction with the district safety plan, contains standards and procedures that assure the security and safety of students and school personnel.

- Clearly define the expectations for acceptable conduct on school property;
- Ensure that schools provide equal access to a wide range of supports and interventions that promote positive behavior;
- Help students develop self-discipline and social and emotional worth;
- Enable students to improve and correct inappropriate, unacceptable conduct; and
- Ensure that when discipline is necessary it is administered promptly and fairly.

Unless otherwise indicated, this Code of Conduct applies to all students, district personnel, parents/guardians, and other visitors when on school property or attending a school event or activity, including sporting events.

**Beliefs about Learning and Discipline**

All children and young people must be assured that they can learn in a non-disruptive atmosphere and will be treated in a fair, equitable, consistent, and nondiscriminatory manner.

The Board of Education of the East Islip School District believes that all students are entitled to a successful educational experience. In order for this to occur, the school environment must be a positive, supportive, safe and healthy one, in which each member is treated with respect.

The school staff and community believe that the best learning takes place in a climate in which students experience success, caring, enjoyment, and the freedom to develop their potential.

To accomplish this, all members must recognize that for a school community to be healthy, interactions between all members must be thoughtful, respectful and humane.

Since discipline is a learned behavior, it should be taught cooperatively in the home, school and community. Expectations should be developmentally appropriate. Increased responsibility and the ability to self-discipline become the goals as the student matures.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, and at school functions, to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, be administered promptly, and fairly. To this end, the Board adopts this code of conduct.

The Board of Education believes that this philosophy will foster the development of happy, self-disciplined, self-reliant citizens with social consciences.

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

At no time, is anyone permitted to jeopardize the safety and welfare of others. The code of conduct has incorporated the Dignity for All Students Act which was created to give students an educational environment free of discrimination, bullying and harassment.

#### **Goals of the Student Code of Conduct**

- Develop interventions and consequences that enable students to increase their capacity to self-regulate and interact positively and responsibly with others in a manner that is developmentally appropriate.
- Create an environment where classrooms and public spaces are safe, civil and orderly.
- Reduce overuse and disproportionate use of in-school and out-of-school suspensions and school discipline referrals.
- Establish school-wide expectations and rules that all adults are committed to support.
- Increase capacity and accountability of administrators, teachers, and student support specialists to intervene early and effectively with all students; and respond to and correct unacceptable behaviors in an effective and respectful manner.
- Student discipline and support policies and practices must be implemented in ways that are perceived to be fair, equitable, and differentiated.

#### **Guiding Principles of the Student Code of Conduct**

- A multi-tiered system of support is aimed at addressing students' academic learning gaps and the causes of unsafe behavior. Prevention and intervention strategies may include more personalized academic instruction and support, student support services, and programs to address personal and family circumstances.
- The Code of Conduct supports the use of a leveled system of interventions and consequences addressing inappropriate, unacceptable, and unsafe behaviors with the ultimate goal of teaching positive behaviors and strengthening students' personal, social and academic efficacy. A leveled student discipline and student support system emphasizes both student accountability and behavioral change. The goal is the prevention of a recurrence of unacceptable behavior by helping students to:
  - Learn from their mistakes;

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- Understand why the behavior is unacceptable;
  - Acknowledge the harm that they have caused or the negative impact of their actions;
  - Understand what they could have done differently in the situation;
  - Take responsibility for their actions;
  - Be given the opportunity to learn pro-social strategies and skills to use in the future; and
  - Understand that more intensive consequences and interventions will take place if unacceptable behaviors persist.
- Effective schools promote and model mutual respect, high-quality professionalism and transparent accountability based on trust among and between administration, staff, students, and families.

## II. Students' Rights and Responsibilities

### Students' Rights

All students are entitled to the following rights on an equal basis regardless of actual or perceived race (including hair texture and protective hair styles), color, creed, citizenship or immigration status, gender (including gender identity), national origin, military status, religion, religious practices, ethnic group, sexual orientation, sex, reproductive health decisions, predisposing genetic characteristics, familial status, marital status, weight, domestic violence victim status or disability.

1. To a quality education in a safe and supportive environment conducive to learning.
2. To guidance, understanding, and respect as a unique individual from all people.
3. To express themselves without infringing on the rights of others.
4. To learn in an environment free from interruption, harassment, bullying, discrimination, intimidation, and fear.
5. To present their version of the relevant events to school personnel authorized to impose a disciplinary consequence. This allows for fair treatment and due process in accordance with the regulations of the school district and the education laws of New York State.
6. To participate in extracurricular activities as long as they remain in "good standing" as defined by the school administration.
7. To guidance and constructive discipline to help them learn to develop responsibility, a concern for others, and good character.
8. To be consulted in the planning and implementation of their education.
9. To have positive adult role models.
10. To be informed of and have the freedom to exercise their rights as stated herein. This includes the ability to access school rules and, when necessary, receive an explanation of those rules from school personnel.

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**Student Responsibilities**

All district students have the responsibility:

1. To make the best use of the educational system to become a useful member of society.
2. To attend school every scheduled day unless they are legally excused.
3. To be in class on time and prepared to learn.
4. To be familiar with and abide by all district policies, rules, and regulations.
5. To ask questions when they do not understand.
6. To contribute to maintaining a safe, supportive and orderly school environment that is conducive to learning and to show respect and dignity to other persons and to property.
7. To react to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
8. To maintain behavior free from all forms of bullying, harassment or discrimination.
9. To learn to make socially acceptable choices to meet their individual needs.
10. To work to develop mechanisms to control their anger.
11. To exercise their rights in an age-appropriate manner.
12. To seek help in solving problems that might lead to disciplinary consequences.
13. To accept responsibility for their actions.
14. To dress appropriately for school and school functions.
15. To conduct themselves as representatives of the district before, after, or during school hours while on school grounds, riding on school buses, or when participating in or attending school sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

**III. Essential Partners**

**Parents/guardians/caregivers**

All parents/persons in parental relation are expected:

1. To recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. To send their children to school ready to participate and learn.
3. To ensure their children attend school regularly and on time.
4. To ensure that absences are excused as defined by New York State Law: personal illness, illness or death in family, impassable roads due to inclement weather, religious observance, required court appearance, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations, or such other reasons as may be approved by the Commissioner of Education.
5. To insist their children be dressed and groomed in a manner consistent with the dress code.
6. To help their children understand that in a democratic society appropriate rules are required to maintain a safe, supportive and orderly environment.
7. To know school rules and help their children understand them.

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8. To convey to their children a supportive attitude toward education and the district.
  9. To build positive working relationships with school personnel.
  10. To help their children deal effectively with peer pressure.
  11. To inform school officials of changes in home situations that may affect student conduct and/or performance.
  12. To provide a place for study and ensure homework assignments are completed.
  13. To familiarize themselves with available resources both in and outside of school to best support their child (ren)'s education and well-being.
  14. Bring any concerns of bullying, harassment or discrimination to the attention of the appropriate school official.
  15. To follow school rules and regulations when on school property or attending school functions.

### **School Administrators**

All district principals and assistant principals are expected:

1. To promote a safe, supportive, orderly, and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race (including hair texture and protective hair styles), color, creed, citizenship or immigration status, weight, national origin, military status, ethnic group, familial status, religion, religious practice, reproductive health decisions, predisposing genetic characteristics, marital status, disability, sexual orientation, gender (including gender identity), domestic violence victim status or sex.
2. To ensure that all students and staff have the opportunity to communicate regularly with the building administrator(s) and approach the administrator(s) for redress of grievances.
3. To evaluate on a regular basis all instructional programs as they impact student behavior.
4. To support the development of, and student participation in, appropriate extracurricular activities.
5. To be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
7. Address personal biases that may prevent equal treatment of all students.
8. Promptly make a verbal report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the verbal report.

### **Certified Staff**

All district certified staff members are expected:

1. To maintain a climate of mutual respect and dignity, for all students, regardless of actual or perceived race (including hair texture and protective hair styles), color, creed, citizenship or immigration status, weight, national origin, military status, ethnic group, familial status, religion, religious practice, reproductive health decisions, predisposing genetic characteristics, marital status, domestic violence victim status, disability, sexual orientation, gender (including gender identity) or sex, which will strengthen students' self-concept and promote confidence to learn.
2. To be prepared to teach, advise, and/or assist students.
3. To demonstrate interest in education and a concern for student achievement.
4. To know school policies and rules, and enforce them in a fair and consistent manner.
5. To communicate to students and parents, when applicable, course objectives and requirements, marking/grading procedures, assignment deadlines, expectations for students, and a classroom discipline plan.
6. To communicate regularly with students, parents and other certified staff concerning student growth, achievement, and educational progress.
7. To assist students in coping with peer pressure and emerging personal, social and emotional problems.
8. To initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary.
9. To encourage students to benefit from both the curriculum and extracurricular programs.
10. To initiate a referral to the building mental health team should a student behave in a way that indicates he or she is a potential threat to himself or others.
11. Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
12. Address personal biases that may prevent equal treatment of all students.
13. Promptly make a verbal report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the school official designated to receive the complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the verbal report.

**Non-Certified Staff**

All District non-certified staff members are expected:

1. To participate directly in the supervision of and guidance of the behavior of all students within the scope of their responsibility.
2. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race (including hair texture and protective hair styles), color, creed, citizenship or immigration status, weight, national origin, military status, ethnic group, familial status, religion, religious practice, reproductive health decisions, predisposing genetic

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characteristics, marital status, domestic violence victim status, disability, sexual orientation, gender (including gender identity) or sex.

3. To deal with students in a firm, fair and consistent manner.
4. To refer students to an appropriate certified staff member and/or building administrator after their efforts to solve a behavior problem have proven to be unsuccessful and follow up in writing when necessary.
5. Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
6. Address personal biases that may prevent equal treatment of all students.
7. Promptly make a verbal report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the verbal report.

**The Dignity for All Students Act Coordinator(s)**

All Dignity Act Coordinators are expected:

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race (including hair texture and protective hairstyles), color, creed, citizenship or immigration status, weight, national origin, military status, ethnic group, familial status, religion, religious practice, reproductive health decisions, predisposing genetic characteristics, marital status, domestic violence victim status, disability, sexual orientation, gender (including gender identity) or sex.
2. Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.
3. Identify curricular resources that support infusing civility in classroom instruction and classroom management, and provide guidance to staff as to how to access and implement those resources.
4. Coordinate with the Professional Development Committee, training in support of the bullying prevention committee.
5. Be responsible for monitoring and reporting the effectiveness of the district's Dignity for All Student's Act Policy (DASA policy).
6. Address issues of bullying, harassment and discrimination or any situation that threatens the emotional, or physical health, or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
7. Address personal biases that may prevent equal treatment of all students.
8. If not the school official designated to receive complaints, promptly make a verbal report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a Dignity Act Coordinator's attention, to the school official designated to



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receive complaints no later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official no later than two days after making the verbal report.

**Superintendent/Assistant Superintendent(s)**

The Superintendent and his/her assistant superintendent(s) are expected:

1. To promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race (including hair texture and protective hairstyles), color, creed, weight, national origin, military status, ethnic group, familial status, religion, religious practice, reproductive health decisions, predisposing genetic characteristics, marital status, domestic violence victim status, disability, sexual orientation, gender (including gender identity) or sex.
2. To review with the district and building administrators the policies of the Board of Education and the state and federal laws relating to school operations and management.
3. To work to create instructional programs that minimize problems of misconduct and are sensitive to student and staff needs.
4. To work with district and building administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
5. To work to promote a safe and supportive school environment and discourage, among other things, discrimination or harassment against students by students and/or school employees; and including safe and supportive school environment concepts in the curriculum and classroom management.
6. Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
7. Address personal biases that may prevent equal treatment of all students.
8. If not the school official designated to receive complaints, promptly make a verbal report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a Superintendent's attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the verbal report.

**Board of Education**

All members of the Board of Education are expected:

1. To promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race (including hair texture and protective hair styles), color, creed, weight, national origin, military status, ethnic group, familial status, religion, religious practice, reproductive

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- health decisions, predisposing genetic characteristics, marital status, domestic violence victim status, disability, sexual orientation, gender (including gender identity) or sex.
2. Develop and recommend a budget that provides programs and activities that support the achievement of the goals of the Code of Conduct.
  3. To collaborate with student, teacher, administrator, and parent organizations, school safety personnel, and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel, and visitors on school property and at school functions.
  4. To 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.
  5. To lead by example by conducting Board meetings in a professional, respectful and courteous manner.
  6. Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
  7. Address personal biases that may prevent equal treatment of all students.
  8. Promptly make a verbal report of incidents of bullying discrimination and harassment that are witnessed or otherwise brought to a board member's attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the verbal report.

#### IV. Student Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress and physical appearance shall be appropriate, safe and not serve to disrupt and/or interfere with the educational process. Students shall:

1. Recognize that extremely brief garments and/or see-through garments are not allowed.
2. To collaborate with student, teacher, administrator, and parent organizations, school safety personnel, and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel, and visitors on school property and at school functions.
3. To 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.
4. To lead by example by conducting Board meetings in a professional, respectful and courteous manner.
5. Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person

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who is lawfully on school property or at a school function or which create a hostile environment.

6. Address personal biases that may prevent equal treatment of all students.
7. Promptly make a verbal report of incidents of bullying discrimination and harassment that are witnessed or otherwise brought to a board member's attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the verbal report.

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

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

#### **V. Prohibited Student Conduct**

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment. In addition to its right to impose discipline, the Board of Education reserves the right to pursue the cost of repair damages caused by a student's misconduct in accordance with its rights under the law.

It is expected that all students conduct themselves in a manner that supports the intent of the Dignity for All Students Act; creating a safe and supportive school environment free of discrimination, bullying/cyberbullying and harassment.

The best discipline is self-imposed and students must learn to assume and accept responsibility for their own behavior, as well as consequences of the misbehavior. District personnel have the responsibility and authority to use the necessary measures to maintain control within the classroom the school building and at school functions on and off school property. Each teacher has the responsibility and authority to use the necessary measures to maintain control within the classroom, the school building, and on the school property.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct. All violations apply to student behavior in school, on school property, on school buses and at school-sponsored functions and student behavior off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable the acts might reach school property.

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

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:
  - 1. Running in hallways.
  - 2. Making unreasonable noise.
  - 3. Using language or gestures that are profane, lewd, vulgar or abusive.
  - 4. Obstructing vehicular or pedestrian traffic.
  - 5. Engaging in any willful act that disrupts the normal operation of the school community.
  - 6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building, or his/her designee.
  - 7. Computer/electronic communications misuse, including any unauthorized use of computers, cell phones, personal electronic devices, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.
  - 8. Inappropriate use of materials that create a disruptive atmosphere. i.e. throwing of food, misuse of chemical or equipment, disorderly conduct in common areas, such as gymnasium, cafeteria, where large numbers of students congregate.
  - 9. Conduct disruptive of the educational process or that substantially interferes with the teacher's authority over the classroom.
  
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:
  - 1. Failing to comply with reasonable directions of teachers, school administrators, or other school employees or otherwise demonstrating disrespectful behavior toward visitors, teachers, school administrators, or other district employees.
  - 2. Demonstrating disrespect.
  - 3. Directing vulgarity, abusive language or gestures towards District Personnel.
  - 4. Cutting or leaving school without permission.
  - 5. Unexcused lateness's.
  - 6. Skilling detention.
  - 7. Failing to vacate School Property at the conclusion of any School Function.
  - 8. Being in an unauthorized area without supervision.
  
- C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but are not limited to:
  - 1. Failing to comply with the reasonable directions of teachers, school administrators, or other school personnel in charge of students.

2. Inappropriate public sexual contact.
  3. Creating a loud disturbance.
  4. Falsely reporting a bomb threat. (Please note: Falsely reporting a bomb threat is a felony and may result in criminal prosecution.)
  5. Conduct disruptive of the educational process or that substantially interferes with the teacher's authority over the classroom.
- D. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:
1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee, or attempting, or threatening to do so.
  2. Committing an act of violence (such as hitting, kicking, punching, scratching and throwing objects) upon another student or any other person lawfully on school property or attempting to do so, or threatening to do so.
  3. Possessing a weapon while on school property or at a school function or school sponsored activity. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
  4. Displaying what appears to be a weapon while on school property or at a school function or school sponsored activity.
  5. Threatening to use any weapon while on school property or at a school function or school sponsored activity.
  6. Intentionally damaging or destroying the personal property of a student, teacher, administrator or any other person lawfully on school property or at a school function or school sponsored activity on school property at school functions, including graffiti or arson.
  7. Intentionally damaging or destroying school district property.
  8. Committing an act of graffiti, arson, and/or criminal mischief while on school property or at a school function or school sponsored activity.
- E. Engage in any conduct on school grounds or at school functions or at school sponsored activities that endangers the safety, morals, health or welfare of themselves and/or others. Examples of such conduct include, but are not limited to:
1. Lying to school personnel.
  2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
  3. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function, to danger, by recklessly engaging in conduct which creates a substantial risk of physical injury.
  4. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.

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5. Discrimination, as defined in the "Definitions" section of this Code of Conduct.
  6. Harassment, as defined in the "Definitions" section of this Code of Conduct.
  7. Bullying, as defined in the "Definitions" section of this Code of Conduct.
  8. Cyberbullying, as defined in the "Definitions" section of this Code of Conduct.
  9. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm, or cause emotional distress.
  10. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliation with or maintaining membership in an organization, gang, club or team on school grounds or at a school sponsored function.
  11. Selling, using, distributing or possessing obscene material.
  12. Using vulgar or abusive language, cursing or swearing.
  13. Smoking, vaping, or publicly displaying, a cigarette, electronic cigarettes, vaping devices, cigar, pipe, or using chewing or smokeless tobacco or cannabis or cannabinoid products.
  14. Possessing, consuming, selling, distributing or exchanging drug paraphernalia, alcoholic beverages, illegal substances, or items disguised as illegal substances or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, synthetic cannabinoids (Marijuana) and any substances commonly referred to as "designer" drugs.
  15. Inappropriately possessing, using, distributing, attempting to distribute or sharing prescription and/or over-the-counter drugs.
  16. Gambling.
  17. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
  18. Initiating a report warning of fire, bomb threat, or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
  19. Intimidating another person for the purpose of extorting money or property.
  20. Hiding evidence of an illegal act or school violation.
  21. Violation of an individual's civil rights.
  22. Sexual harassment.
- F. Engage in misconduct while on a school bus or at a designated school bus stop. It is crucial for students to behave appropriately while riding on school buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, defacing the bus, and fighting or other conduct in violation of this Code of Conduct will not be tolerated.
- G. Engage in any form of academic misconduct. Examples of academic misconduct include, but are not limited to:
1. Plagiarism
  2. Cheating
  3. Copying

4. Altering Records
  5. Altering the work of others without permission
  6. Assisting another student in any of the above actions
  7. Inappropriate use of ChatGPT or other artificial intelligence
- H. Engage in off-campus misconduct that creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the misconduct might reach school property; or endangers or threatens the health and safety or morals of students or staff within the school. Examples of such misconduct include, but are not limited to:
1. Cyberbullying, as defined in the “Definitions” section of this Code of Conduct;
  2. Threatening, hazing or harassing students or school personnel over the phone or other electronic medium;
  3. Using electronic communication to convey threats, derogatory comments or post pornographic pictures of students or school personnel, unauthorized access to the district’s computer network, threats made via the telephone, inappropriate behavior at school bus stops; and/or
  4. Consumption of alcohol, marijuana and/or illegal controlled substances and thereafter entering upon the premises of the school district or participating in a school sponsored event under the influence of alcohol, marijuana and/or illegal controlled substances.
- I. Engage in misconduct while using technology. Examples of such misconduct include, but are not limited to:
1. Violating any law.
  2. Displaying, performing, sending, receiving, or storing any content that is obscene, inappropriate, offensive, or otherwise objectionable, even if the material or its dissemination is lawful.
  3. Harassing any person or advocating or encouraging violence of any kind against any person, entity or government.
  4. Infringing, violating or misappropriating another’s rights.
  5. Obtaining unauthorized access to, or interfering by any means with, any user, system, network, service or account, including evasion of filets or violation of the security or integrity of any network or system.
  6. Distributing computer viruses or malware of any kind.
  7. Sending, receiving or supporting email messages that are unsolicited, deceptive, anonymous, excessively voluminous or that contain falsified identifying information, including spamming and phishing.
  8. Inappropriate use of 3-D printers.
  9. Violating the School District’s Acceptable Use Policy (Policy 4526).
  10. Violating the School District’s Remote Learning Acceptable Use Policy (Policy 4527).
- J. Prohibited Gang Conduct

The Board of Education expects all students to conduct themselves as orderly, productive members of the school community. Students who participate in a gang or who affiliate with a gang are not orderly, productive members of the school community. Gangs detrimentally affect the safety and welfare of students and District personnel. Student participation in or affiliation with a gang will not be tolerated. Students who violate the rules of conduct about gang activity listed below may be subject to disciplinary action, up to and including suspension from school.

A. Definitions

1. The term “gang” means a group of students who band together for the purpose of engaging in misbehavior (as defined in the Code of Conduct), antisocial activities, violent activities, criminal activities, and/or intimidation or threatening of other students or District personnel.
  2. The term “gang activity” means any conduct engaged in by a student: (a) on behalf of any gang; (b) to perpetuate the existence of any gang, (c) to effect the common purpose of any gang; and (d) to represent a gang affiliation, loyalty of membership in any way while on District property or while attending a District sponsored activity. “Gang activity” includes, but is not limited to: any act committed in furtherance of the common purpose of any gang, such as recruiting students for membership in any gang; threatening or intimidating another student or District employee to commit any act or omission against his/her will; and committing any act of misbehavior as defined by the Code of Conduct, act of violence or crime while on District property or while attending a District sponsored activity.
  3. The term “gang apparel” means any group item that demonstrates an affiliation or connection to a gang or gang activity, such as but not limited to clothing, jewelry, accessory, color, marking or symbol. Prohibited is any combination of clothing which law enforcement agencies currently consider gang related. These may change. Each building principal will maintain a list of prohibited items in his/her office, which will be available for inspection by any person during normal business hours. At the beginning of the school year, each building principal will take steps to ensure that parents, students and District personnel are aware of which items are considered to constitute “gang apparel”. Whenever the list of prohibited items is amended, the building principal will take steps to ensure that parents, students and District personnel are aware of the changes.
- B. Students are prohibited from engaging in the following conduct:
1. Participating in or affiliating with a gang while on District property or attending a District-sponsored activity;
  2. Participating in any gang activity while on District property or attending a District-sponsored activity; and
  3. Wearing gang apparel while on District property or attending a District-sponsored activity.



**VI. Reporting Violations**

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol, cannabis or cannabinoid products, drug paraphernalia, illegal drugs or illegal substance(s) on school property, at a school function, or on a school bus, shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions 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.

Any weapon, alcohol, or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

The building principal or his or her designee must notify the appropriate local law enforcement agency of those code violations, including, but not limited to, incidents of harassment, bullying and/or discrimination, which may constitute a crime as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. In the case of "petty crimes" it shall be at the discretion of the principal to report same to the law enforcement agency. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

**Reporting Incidents of Discrimination, Harassment and Bullying**

Students who have been bullied, harassed and/or discriminated against, parents whose children have been bullied, harassed and/or discriminated against, or other students or staff who observe bullying, harassing and/or discriminating behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel.

Staff members must promptly make a verbal report of all complaints of bullying, harassment, and discrimination that they receive from students or others, whether verbal or written, as well as any instances of bullying, harassment or discrimination that they are aware of, to the Principal of the school where the incident occurred, or his/her designee, no later than one school day after receipt of a report or witnessing an incident and shall file a written report with the Principal of the school where the incident occurred, or his/her designee, no later than two school days after making the verbal report.

# EAST ISLIP UNION FREE SCHOOL DISTRICT

## CODE OF CONDUCT

Policy 5300

Reports of bullying, harassment and discrimination will be promptly investigated in accordance with District policies and procedures.

Retaliation by any school employee or student against any individual who, in good faith, reports or assists in the investigation of harassment, bullying and/or discrimination is prohibited under law.

### VII. Getting Help with a Problem

#### Dignity Act Coordinator Contact Information

The District-wide DASA Coordinator is Aileen O'Rourke, Ed.D. The name and contact information for each school building's Dignity Act Coordinators are provided below:

This information shall also be posted on the district's website and included in the plain language summaries of the code of conduct provided to parents and students and shall be further disseminated in accordance with law and regulations.

<b>Dignity Act Coordinator Contact Information</b>			
<b>School</b>	<b>Phone</b>	<b>Coordinator</b>	<b>Email</b>
East Islip High School	631-224-2006 (Ext. 6100) 631-224-2006 (Ext. 6501)	Mark Bernard, Principal Vivian Reilly, Social Worker Korin Scarles, Assistant Principal	mbernard@eischools.org vreilly@eischools.org korin.scarles@eischools.org
East Islip Middle School	631-224-2008 (Ext. 8100) 631-224-2008 (Ext. 8202) 631-224-2008 (Ext. 8501)	Anthony Montemarano, Principal TBD, Assistant Principal Alison Johnstone, Social Worker	anthonymontemarano@eischools.org TBD ajohnsto@eischools.org
Connetquot Elementary School	631-224-2001 (Ext. 1103) 631-224-2001 (Ext. 1500)	Nicholas Bilotti, Principal Jessica Carson, Social Worker	nbilotti@eischools.org jessica.carson@eischools.org
John F. Kennedy Elementary School	631-224-2003 (Ext. 3103) 631-224-2003 (Ext. 3500)	Deborah Smith, Principal Lisa Yacovone, Social Worker	dsmith@eischools.org lyacovon@eischools.org
Ruth C. Kinney Elementary School	631-224-2007 (Ext. 7103) 631-224-2007 (Ext. 7500)	Janet Jones, Principal Brittany Ferro, Social Worker	jjones@eischools.org brittany.ferro@eischools.org

Timber Point Elementary School	631-224-2004 (Ext. 4101) 631-224-2004 (Ext. 4500)	Danielle Naccarato, Principal Joan D'Angelo, Social Worker	dnaccara@eischools.org joan.dangelo@eischools.org
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**VIII. Disciplinary Consequences, Procedures and Referrals**

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, impartial, and consistent. In order for this to occur, the school environment must be a positive, safe, supportive and healthy one, in which each member is treated with respect. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair consistent, and developmentally appropriate so as to be most effective in changing student behavior.

Discipline shall be progressive as outlined in subsection of this Code of Conduct.

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

**A. Consequences**

Students who are found to have violated the district's code of conduct may be subject to the following consequences, either alone or in combination. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student's rights to due process.

1. Verbal warning/student conference (any member of staff and bus driver)
2. Written warning (any member of district staff)
3. Written/telephone notification to parent or guardian (appropriate staff)
4. Removal from classroom (teachers, principal)
5. Lunch detention (appropriate certified staff)
6. Detention (appropriate staff)
7. In school suspension (principal)
8. Parent Conference (appropriate staff)
9. Suspension from field trips/suspension or loss of other privileges (principals, superintendent)
10. Suspension from transportation (principals, superintendent)
11. Suspension from athletic participation (coaches, principals, superintendent)

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12. Suspension from social or extracurricular activities (activity advisor, principals, superintendent)
  13. Short term (five days or less) suspension from school (principal, superintendent, board)
  14. Exclusion from class (principals, superintendent)
  15. Long term (more than five days) suspension from school (superintendent, board)
  16. Permanent suspension from school (superintendent, board)
  17. Restitution (principal, superintendent, after appropriate legal action is taken)

A listing of the minimal consequence assigned for each infraction follows. It may be assigned alone or in combination with any others on the list by the personnel authorized to impose the consequence. The consequences are not listed in any specific order. Nothing herein shall be construed to limit the District in its administering of appropriate consequences for violations of the Code of Conduct.

In addition, the Building Principal may implement restorative justice practices on a case-by-case basis. The Superintendent of Schools or his/her designee will implement procedures outlining the restorative justice practices that may be made available to students on a case by case basis.

**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 consequence in connection with the imposition of the consequence.

Students who are to be given consequences other than a verbal 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.

Detention will be imposed as a consequence only after the student's parent has been notified to confirm there is no parental objection to the consequence and the student has appropriate transportation home following detention. A student subjected to detention is not entitled to a full hearing pursuant to Education Law §3214.

**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 building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education law 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal meeting with the building principal or the principal's designee to discuss the conduct and the consequence involved.

**3. Suspension from Athletic Participation, Extracurricular 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 parents will be provided with a reasonable opportunity for an informal meeting with the district official imposing the suspension to discuss the conduct and the consequence involved. The appropriate coach advisor shall be notified prior to any suspension under this section.

**4. In-school suspension**

The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish and maintain an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as a result of a code of conduct violation in "in-school suspension". The in-school suspension teacher will be a certified teacher.

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 meeting with the district official imposing the in-school suspension to discuss the conduct and consequence involved.

**5. 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 in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by

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using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative, supervised setting.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with the teacher's authority occurs when a student demonstrates persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to three school days. The removal from class applies to the class of the removing teacher only. On the elementary level, teachers may remove a student for 40 minutes each day for up to three days.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, 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.

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.

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 secretary and communicate with the principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the 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 why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where

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possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The principal may require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent, principal and teacher.

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

- a. The charges against the student are not supported by substantial evidence.
- b. The student's removal is otherwise in violation of law, including the district's code of conduct.
- c. The conduct warrants suspension from school pursuant to Education Law 3214 and a suspension will be imposed.

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48 hour period for the informal meeting, if a meeting is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his or her class. The principal or his or her designee must keep a log of all removals of students from class.

Removal of a student with a disability under certain circumstances may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

**6. 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, or is otherwise violative of this code of conduct.

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.

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

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

**A. Short term (5 days or less) suspension from school**

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 3214(3), the suspending authority must immediately notify the student of the charged misconduct. 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 telephone number(s) for the purpose of contacting the parents.

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



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The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does not pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so.

The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the board of education with the district clerk within 10 business days of the date of the superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

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

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 pursuant to Education Law Section 3214. At the hearing, the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

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

An appeal of 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 30 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The board may adopt in whole or in

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part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

C. Permanent suspension

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life threatening danger to the safety and well being of other students, school personnel, or any other person lawfully on school property or attending a school function. The procedures for permanent suspension shall be the same procedures set forth in subparagraph B above.

The Board may condition a student's early return from a suspension on the student's voluntary participation in counseling or specialized classes, such as anger management or dispute resolution. The Board retains discretion in offering this opportunity. If and when the student and/or parent/guardian agrees to this option, the terms and conditions shall be specified in writing and will be expected to be adhered to.

D. 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 a suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law 3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the 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 might be more effective.
- e. Input from parents, teachers and/or others.
- f. Other extenuating circumstances.

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

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall

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

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 at least 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 3214(3a), and this code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed consequence is the minimum five day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short term suspension. A student with a disability may be suspended only in accordance with the requirements of state and federal law.

If the proposed consequence exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to 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.

- E. Disciplinary and Remedial Consequences for Bullying, Harassment and/or Discrimination

The district supports the development of measured, balanced and age-appropriate responses to the bullying, harassment and/or discrimination of students by students on school property, including school functions, with remedies and procedures focusing on prevention, intervention, education, and discipline. Remedies will be measured, balanced, progressive and age-appropriate and will take into consideration

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the nature and severity of the offending student's behavior, the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the offending student's behaviors had on the individual who was physically injured or emotionally harmed. Responses will be reasonably calculated to end the harassment, bullying and/or discrimination, prevent recurrence, and eliminate the hostile environment. Successful intervention **may** involve remediation.

Remedial responses to bullying, harassment and/or discrimination include measures 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:

- Restitution and restoration;
- Peer support groups;
- Corrective instruction or other relevant learning or service experience;
- Changes in class schedule;
- Supportive intervention;
- Behavioral assessment or evaluation;
- Behavioral management plans;
- Student counseling; or
- Parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation can be an important tool to prevent bullying, harassment and/or discrimination. Environmental remediation may include, but is not limited to:

- Supervisory systems which empower school staff with prevention and intervention tools to address incidents of bullying, harassment and/or discrimination;
- School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- Modification of schedules;
- Adjustment in hallway traffic and other student routes of travel;
- Targeted use of monitors;
- Staff professional development;
- Parent education seminars/workshops;
- Peer support groups.

If appropriate, disciplinary action will be taken by the administration in accordance with this policy, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

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Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy.

F. Referrals

1. Counseling

The Mental Health Team shall handle all referrals of students to outside counseling.

2. PINS Petitions

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

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.

3. Juvenile Delinquents and Juvenile Offenders

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

- a. Any student under the age of 16 who is found to have brought a weapon to school, or
- b. Any student 14 or 15 years old who qualifies for offender status under the Criminal Procedure Law 1.20(42).

The superintendent is required by law to refer students 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 Section 3214, the district will take immediate steps to provide alternative means of instruction to the student.

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**Discipline of Students with Disabilities**

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

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

A. Authorized Suspensions or Removals of Students with Disabilities

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

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

A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by the Superintendent of Schools for behavior involving weapons, illegal drugs, or controlled substances, OR by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

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

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
  - a. The Board, Superintendent of schools, or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.

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- b. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
  - c. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those suspensions 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 on school property, in school, on a school bus, or at a school function or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while on school property, in school, on a school bus, or at a school function, or inflicts serious bodily injury upon another person while at school, on school premises or at a school function under the jurisdiction of the East Islip School District.
    - i. "Weapon" means the same as "dangerous weapon" under 18 U.S.C. 930(g)(w) which includes "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except . . . for a pocket knife with a blade of less than 2 ½ inches in length."
    - ii. "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.
    - iii. "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.
    - iv. "Serious bodily injury" means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in

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an IAES setting for up to 45 days at a time, if maintain the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

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

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

1. The CSE 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 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 form 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.



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

- b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
    - a. If it is claimed that the district had such knowledge, 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 for discipline purposes. The district will be deemed to have had such knowledge if:
      - i. The student's parent expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student that the student is in need of special education. Such expression may be verbal if the parent does not know how to write or has a disability that prevents a written statement; or
      - ii. The student's parent has requested an evaluation of the student; or
      - iii. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the district's director of special education or other supervisory personnel.
    - 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 with a disability, the district either:
      - i. conducted an individual evaluation and determined that the student is not a student with a disability, or

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- 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 is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

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

- 3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.

The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.

- 4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
- 5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a 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 the student's disability.

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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

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if;
  - a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
  - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
    - i. 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.
    - ii. If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. The district will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in Commissioner's regulations. Those procedures include but are not limited to convening a resolution meeting, and initiating and completing the hearing within the timelines specified in those regulations.

E. Referral to law enforcement and judicial authorities

In accordance with the provisions of the 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 which a crime is reported.

**X. 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 in which immediate intervention involving the use of reasonable physical force is necessary to prevent imminent danger of serious physical harm to the student or others, physical restraint may be used. Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Physical restraint does not include a physical escort or brief physical contact and/or redirection to promote student safety, calm or comfort a student, prompt or guide a student when teaching a skill or assisting a student in completing a task, or for other similar purposes. Use of physical restraint is subject to the following:

- A. The type of physical restraint used shall be the least restrictive technique necessary and be discontinued as soon as the imminent danger of serious physical harm has resolved.
- B. Physical restraint shall never be used in a manner that restricts the student's ability to breathe or communicate or harms the student.
- C. The use of prone restraint is prohibited.
- D. Physical restraint shall not be used as a planned intervention on a student's individualized education program, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for a student by the school.
- E. Physical restraint shall not be used to prevent property damage except in situations where there is imminent danger of serious physical harm to the student or others and the student has not responded to positive, proactive intervention strategies.
- F. Physical restraints shall be administered only by staff who have received training in accordance with 8 NYCRR 19.5(d)(7).
- G. Following a physical restraint, if an injury has been sustained or believed to have been sustained, the school nurse, pursuant to section 902(2)(b) of the Education Law or other medical personnel (*i.e.*, physician, physician assistant, or nurse practitioner) shall evaluate the student to determine and document if any injuries were sustained during the incident.

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In instances where physical restraint is used, parents/person(s) in parental relation will be notified the same day following the use of a physical restraint. Such notification shall offer the parent the opportunity to meet regarding the incident and provide the parent or person in parental relation a copy of the documentation of the incident within three (3) school days of the use of a physical restraint.

As soon as practicable, and after every incident in which a physical restraint is used on a student, a school administrator or designee shall:

1. Meet with the school staff who participated in the use of physical restraint to discuss:
  - (a) The circumstances leading to the use of physical restraint,
  - (b) The positive, proactive, intervention strategies that were utilized prior to the use of physical restraint, and
  - (c) Planning for the prevention and reduction of the future need for physical restraint with the student including, if applicable, whether a referral should be made for special education programs and/or other support services or, for a student with a disability, whether a referral for review of the student's individualized education program and/or behavior intervention plan is needed; and
2. Direct school staff member to debrief the incident with the student in a manner appropriate to the student's age and developmental ability and to discuss the behavior(s), if any, that precipitated the use of physical restraint.

The administrator or designee shall regularly review documentation on physical restraint to ensure compliance with the school's policy and procedures. When there are multiple incidents within the same classroom or involving the same staff, the school administrator or designee shall take appropriate steps to address the frequency and pattern of use.

The school will maintain documentation of each incident involving physical restraint on each student which will include:

1. The name and date of birth of the student;
2. The setting and location of the incident;
3. The name of the staff who participated in the implementation, monitoring and supervision of the physical restraint and any other persons involved;
4. A description of the incident including duration, and for physical restraint, the type of restraint used;
5. Whether the student has an individualized education program, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for the student by the school;
6. A list of all positive, proactive intervention strategies utilized prior to the use of physical restraint; and for students with disabilities, whether those strategies were consistent with a student's behavioral intervention plan, if applicable;

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7. The details of any injuries sustained by the student or staff during the incident and whether the student was evaluated by the school nurse or other medical personnel;
  8. The date and method of notification to the parent or person in parental relation and whether a meeting was held;
  9. The date of the debriefing.

Reports shall be submitted annually on the use of physical restraint and substantiated and unsubstantiated allegations of use of corporal punishment, mechanical restraint and other aversive interventions, prone physical restraint, and seclusion to the Commissioner of Education in accordance with the requirements of 8 NYCRR 100.2(bb)(2).

#### **XI. Student Searches and Interrogations**

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary 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/or their designee, to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

An authorized school official may conduct a search of a student’s belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student’s belongings based upon information received from a reliable informant. District employees will be considered reliable informants. Individuals other than 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.

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. When possible, all searches shall be conducted in the presence of more than one authorized school official.

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To ensure confidentiality, whenever practicable, searches will be conducted in administrative offices and students will be present when their possessions are being searched.

**Student lockers, desks, and other school storage places**

The rules of 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.

**Strip searches**

A strip search is a search that requires a student to remove any or all of his/her clothing. For purposes of this provision, "clothing" does not include an outer coat or jacket. Searching a student's shoes, socks and sweatshirt, and the exposure of a student's ankles and waistband does not constitute a strip search where the student is not asked to remove his/her shirt or pants.

Strip searches are intrusive in nature and are not permissible. If school authorities believe there is an emergency situation that could threaten the health or safety of others, the student under reasonable suspicion of having engaged or engaging in unlawful or otherwise proscribed activity shall, to the extent practicable, be isolated and secured. Police and parents will be contacted immediately.

**Documentation of Searches**

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Name of any informant(s).
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of the search.
9. Results of the search (that is, what item(s) were found).
10. Disposition of items found.
11. Time, manner and results of parental notification.

The building principal or the principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s),

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until the items are turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

**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. In the absence of a search or arrest warrant, or in the event police officials do not have probable cause to believe that crime has been committed on school property or at a school function, a student may not be questioned or searched without the consent of the student's parent. 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 rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

**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 investigations.

All requests by child protective services to interview a student on school property shall be made directly to the building principal or his/her designee. The principal or his/ her designee shall ask the CPS representative and related authorities for photographic employment identification or an alternative form of government issued photographic identification to and shall set the time



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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 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 or 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.

## **XII. Visitors to the Schools**

The Board encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning however, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
5. Teachers are expected 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 or 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.

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

**Prohibited Conduct**

No person, either alone or with others shall:

1. Intentionally injure any person, attempt to do so, or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson, or threaten to do so.
3. Disrupt the orderly conduct of classes, school program or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, are discriminatory or are disruptive to the school program.
5. Intimidate, bully, harass or discriminate against any person on the basis of actual or perceived race (including traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as but not limited to braids, locks and twists), color, creed, ethnic group, familial status, national origin, religion, religious practice, gender (including gender expression and identity), sexual orientation, reproductive health decisions, age sex, weight or disability, marital status, military status, predisposing genetic characteristics or domestic violence victim status. Engage in acts of bullying/cyberbullying, harassment and/or discrimination.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute, or exchange alcoholic beverages, illegal and/or controlled substances, or be under the influence of either on school property or at a school function.

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10. Possess, use, or threaten to use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
  11. Loiter on or about school property.
  12. Gamble on school property or at school functions.
  13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
  14. Willfully incite others to commit any of the acts prohibited in this code.
  15. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.
  16. Smoking (the burning of a lighted cigar, cigarette, pipe or any other matter or substance that contains tobacco, cannabis or cannabinoid hemp) and all other tobacco use or the use of electronic cigarettes and other products containing nicotine, except for current FDA-approved smoking cessation products, are also prohibited. Electronic cigarettes or e-cigarettes, known collectively as ENDS – Electronic Nicotine Delivery Systems, are defined as electronic devices that deliver vapor that is inhaled by an individual user (including but not limited to e-pens, e-pipes, e-hookah, e-cigars, vaporizers, vapor pipes, vape pens or any other personal vaporizing device, and includes any refill, cartridge or other component used in such a device.
  17. Bring dogs or other animals on School Property, except those authorized as service animals, policy dogs, and dogs hired for geese control.
  18. Use language or gestures that are profane, lewd, vulgar or abusive.
  19. Engage in any sexual behavior and/or contact.
  20. Obstruct pedestrian traffic in hallways, stairwells, and doorways.
  21. Intentionally obstruct vehicular traffic.
  22. Steal or attempt to steal the property of students, school personnel, or any other person lawfully on School Property or attending a School Function.
  23. Be dishonest (lying, lying by omission, or knowingly sharing false information).
  24. Fail to vacate School Property at the conclusion of school authorized activities.
  25. Be in an unauthorized area without supervision.
  26. Use drones on School Property.
  27. Commit an act of violence (such as hitting, kicking, punching, and scratching) upon a student or any other person lawfully on School Property or attempt to do so.
  28. Fight or engage in violent behavior.
  29. Subject students, school personnel or any other person lawfully on School property or attending a School Function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
  30. Intimidate any student, school personnel or any other person lawfully on School Property or attending a School Function.
  31. Threaten another with bodily harm.
  32. Create a hazardous or physically offensive condition by any act which serves no legitimate purpose.
  33. Hide evidence of an illegal act or school violation.
  34. Defame another individual.
  35. Sell, use, distribute or possess obscene material.

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36. Inappropriately use or share prescription and/or over-the-counter drugs.
  37. Engage in an act of indecent exposure, that is, exposure to the sight of the private parts of the body in a lewd or indecent manner.
  38. Commit any violation of the Student Health Services policy concerning prescription medication.

### Consequences

Persons who violate this code shall be subject to the following consequences.

1. Visitors – Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students – They shall be subject to disciplinary action as the facts may warrant, in accordance with this Code of Conduct, applicable law and regulations and district policies, and the due process requirements thereof.
3. Tenured faculty members – They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law 3020a, or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law 75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law 75 or any other legal rights they may have.
5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

### Enforcement

When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited, and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Consequences" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

**XIV. Dissemination and Review**

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

1. Mailing, or emailing, a summary of the code of conduct written in plain language to all parents of district students before the beginning of each school year and making this summary available later upon request.
2. Providing all teachers and other staff members access to a complete copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
3. Making complete copies of the code available for review by students, parents or other persons in parental relation to students, other school staff and other community members.
4. Posting a complete copy of the code of conduct, including any annual updates or amendments thereto, on the district's website.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the school policy on school conduct and discipline, including, but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination, harassment or bullying against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators regarding in-service programs pertaining to the management and discipline of students. On-going professional development will be included in the district's professional development plan, as needed.

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

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

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 Code of Conduct and any amendments to it will be filed with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after adoption.

**XV. Definitions**

For purposes of this policy, the following definitions apply:

**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

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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.

**Discrimination** means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

**Disruptive student** means an elementary or secondary student under 21 years of age who is substantially disruptive to the educational process or substantially interferes with the teacher's authority over the classroom.

**Electronic communication** means a communication transmitted by means of an electronic device, including but not limited to, a telephone, cellular phone, computer, laptop, pager, or other hand-held device, communication transmitted through email, text message, instant message, voicemail, social networking sites, webpage, video, chat rooms, blogs, Instagram, and Twitter.

**Emotional Harm** in the context of "harassment or bullying" means harm to a student's emotional well-being through the creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

**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 9-B of article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

**Gender** means actual or perceived sex and shall include a person's gender identity or expression.

**Harassment or Bullying** means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that (a) 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 well-being; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. For purposes of this definition, the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. Acts of bullying and harassment that are prohibited include but are not limited to those acts based on a person's

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actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

**Cyberbullying** means harassment or bullying as defined above, where such harassment or bullying occurs through any form of electronic communication.

**Parent** means parent, guardian or person in parental relation to a student.

**Certified staff** means all personnel officially certified in their area of assignment: teachers, nurses, guidance counselors, psychologists, social workers, librarians, itinerants, and administrators.

**School property** means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the school district, or in or on a school bus, as defined in Vehicle and Traffic Law 142.

**School function** means any school sponsored extra-curricular event or activity, on or off school property.

**Sexual orientation** means actual or perceived heterosexuality, homosexuality, or bisexuality.

**Mental Health Teams** are building teams consisting of the principal, and/or his designee, psychologist, social worker, and counselor, if applicable.

**Violent student** means a student under 21 years of age who:

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

**Weapon** means a firearm as defined in 18 USC 921 for purposes of the Gun-Free School Act. It also means any other guns, including but not limited to a BB gun, pistol, revolver, shotgun, rifle, handgun, silencer, airgun or spring gun, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, pilum ballistic knife, a billy club, blackjack, bludgeon, chukka stick, or metal knuckles, a sand bag or sandclub, sling shot or slungshot, metal knuckle knife, box cutters, utility knife or other dangerous knife, cane sword, electronic dart gun, a martial arts instrument, including but not limited to a Kung Fu star, ninja star, nun chuck or shirken, electronic stun gun, a deadly or dangerous chemical, including but not limited to a strong acid or

# EAST ISLIP UNION FREE SCHOOL DISTRICT

## CODE OF CONDUCT

## Policy 5300

base, mace, or pepper spray or other noxious spray, an explosive, including but not limited to a firecracker or other fireworks, incendiary bomb, an imitation gun, loaded or blank cartridges or other ammunition, or other device, instrument, material or substance that can cause physical injury or death.

**School bus**, as defined by Vehicle and Traffic Law 142, means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities or privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

### XVI. Board of Education

Board of Education	
Name and Position	E-Mail
Michael Dorgan, President	michael.dorgan@eischools.org
Stephen Ruland, Vice President	stephen.ruland@eischools.org
Jessica Ciampi, Trustee	jessica.ciampi@eischools.org
Timothy Sassone, Trustee	timothy.sassone@eischools.org
Christopher Zachry, Trustee	czachry@eischools.org

Superintendent of Schools	
Name	E-Mail
Paul E. Manzo	paul.manzo@eischools.org

### Our Vision Statement

Let each become all one is capable of being.

### Our Mission Statement

Our Mission is for East Islip to be a District of Excellence and to educate students with the skills and knowledge to become exceptional learners and leaders. We will provide a safe and positive learning environment in partnership with our greater community.

Adopted: June 12, 2001

Revised: August 10, 2004; August 8, 2006; August 13, 2007; July 14, 2009; May 15, 2012; September 13, 2012; November 15, 2012; July 10, 2014; June 9, 2016; June 21, 2017; July 5, 2018; July 2, 2019

Re-Adopted: July 9, 2020; July 6, 2021; July 5, 2022; July 5, 2023; August 27, 2024