

CODE OF CONDUCT

REMSEN CENTRAL SCHOOL DISTRICT

2024-2025



Remsen Rams

KINDNESS CHARACTER LEADERSHIP RESPECT

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COMMUNITY RELATIONS

CODE OF CONDUCT

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I. Introduction

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

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the Board adopts this Code of Conduct (“code”).

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

II. Definitions

For purposes of this code, the following definitions apply:

“**District Administrator**” means the Superintendent; Principals; Director of Curriculum and Instruction; Director of Health, Physical Education and Athletics; Committee on Special Education Chair; Business Administrator and any other position identified by the Board as Administrator.

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

“**Parent(s)**” means parent(s), guardian(s) or person(s) in parental relation to a student.

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

“**School function**” means any school-sponsored *extra-curricular* event or activity.

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

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

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

III. Student Bill of Rights and Responsibilities

A. Student Rights

The district is committed to safeguarding the rights given to all students under state and federal law. The District’s aim is to provide an environment in which a student’s rights and freedoms are respected, and to provide opportunities, which stimulate and challenge the student’s interests and abilities to his or her highest potential. These opportunities will be available as long as the student pursues these interests, studies in an appropriate manner, and does not infringe upon the rights of others. In addition, to promote a safe, healthy, orderly, and civil

school environment, all district students have the right to:

- Take part in all district activities on an equal basis regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, gender identity, sexual orientation, social class, or disability or any other categories of individuals protected against discrimination by federal, state, or local law.
- Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
- Access school rules and, when necessary, receive an explanation of those rules from school personnel.
- To have a safe, healthy, orderly, and courteous school environment.
- To attend school and participate in school programs unless suspended from instruction and participation for a legally sufficient cause as determined in accordance with due process of law.

B. Student Responsibilities

All district students have the responsibility to:

1. Accept responsibility for their actions.
2. Contribute to maintaining a safe and orderly school environment that is conducive to learning and respect school and others' property.
3. Respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity for All Students Act (DASA).
4. Conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination or bullying.
5. Report, and encourage others to report, any incidents of intimidation, harassment, discrimination or bullying.
6. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
7. Attend school daily and be in class on time and prepared to learn.
8. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
9. Respond to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
10. Work to develop mechanisms to deal with their anger.
11. Ask questions when they do not understand.
12. Seek help in solving problems that might lead to discipline.
13. Dress and present themselves respectfully for school and school functions.
14. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
15. Follow school and societal rules.
16. Immediately report any health or safety issues to school staff (*e.g. presence of illegal substances, injuries, bullying, hazing, harassment, threats or weapons possession*).

IV. Essential Partners

The Remsen Central School District believes that appropriate student behavior is a result of cooperative efforts among students, parents, staff members, the administration and the Board of Education. The District therefore emphasizes the need for the entire school community to provide a meaningful educational experience to all District students.

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Demonstrate a respect for the value of a completed education.
3. Send their child(ren) to school well-rested every day ready to participate and learn.
4. Attend parent/teacher conferences and meetings to discuss their child's progress and to collaborate in addressing any issues or concerns.
5. Ensure their child(ren) attend school regularly and on time. Appointments should, when possible, be scheduled after school to promote attendance and participation in the entire school day. If their child is out of school they should prepare written excuses for student absences and tardiness.
6. Insist their child(ren) be dressed and groomed in a manner consistent with the student dress code.
7. Help their child(ren) understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
8. Know school rules and consequences for violating them and help their child(ren) understand the rules and consequences.
9. Convey to their child(ren) a supportive attitude toward education and the district.
10. Build positive relationships with teachers, other parents and their child(ren)'s friends.
11. Help their child(ren) deal effectively with negative peer pressure.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.
14. Teach children self-respect, respect of others, respect for the law, and respect for public property.
15. Teach their children respect and dignity for themselves and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or expression, or sex, which will

- strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act (DASA).
16. Follow the chain of command when problems arise so that problems can be solved at the appropriate level (staff member/teacher, school counselor/guidance counselor, principal, superintendent, Board of Education).
 17. Dress appropriately for a public school building, when on campus, and in a manner that complies with the standards set forth in the student dress code.
 18. No parent or community member is allowed to record videos or take photos of students or staff on school grounds during the school day without direct permission of a district administrator.

B. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for themselves and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or expression, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
2. Confront issues of discrimination, harassment and bullying in any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
4. Report orally incidents of discrimination, harassment and bullying that are witnessed or otherwise reported to the teacher to the Dignity for All Students Act (DASA) Coordinator not more than one (1) school day later; and file a written report not later than two (2) school days after the initial oral report.
5. Be prepared to teach and meet the individualized needs of students.
6. Demonstrate interest and enthusiasm in teaching and concern for all students' achievement.
7. Know school policies and rules, and enforce them in a fair and consistent manner.
8. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan
9. Communicate regularly with students, parents, and other teachers concerning growth and achievement.
10. Act as a confidential agent in guarding information concerning students. Students' addresses, grades, personal information, records, and reputations are to be guarded, respected, and remain confidential. Direct notification of parents and/or affected students may be warranted in an alleged breach of student information.
11. Refer to a counselor, administrator, or support staff any student whose behavior requires special attention.
12. Demonstrate respect for school and societal rules.
13. Dress professionally and in a manner that complies with the standards set forth in the student dress code.
14. Serve as a role model for students and conduct themselves in a manner that is professional at all times.
15. Report possible incidents of child abuse per Policy 7201, Child Abuse in an Educational Setting.

C. School Counselors and Support Service Personnel

All district counselors and support service personnel are expected to:

1. Support the district's educational and academic goals.
2. Know school rules, abide by them, and enforce them in a fair and consistent manner.
3. Dress professionally and in a manner that complies with the standards set forth in the student dress code.
4. Assist students in coping with negative peer pressure/bullying and emerging personal, social, and emotional problems.
5. Set a good example for students and colleagues by demonstrating dependability, integrity, and other standards of ethical conduct.
6. Maintain confidentiality about all personal information and educational records concerning students and their families. Students' addresses, grades, personal information, records, and reputations are to be guarded, respected, and are to remain confidential. Direct notification of parents and/or affected students may be warranted in an alleged breach of student information.
7. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems, and communicate as necessary in any other manner with parents and other staff regarding student progress and needs.
8. Regularly review with students their educational progress and career plan, including assisting students with college preparation.
9. Encourage and provide information to assist students and their parents with student career planning.
10. Encourage students to benefit from the curriculum and extracurricular programs.
11. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or expression, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
12. Report orally incidents of discrimination, harassment and bullying that are witnessed or otherwise reported to the school counselor or support service personnel to the Dignity for All Students Act (DASA) Coordinator not more than one (1) school day later; and file a written report not later than two (2) school days after the initial oral report.
13. If acting as a DASA Coordinator, complete any incident of discrimination, harassment, and bullying that are witnessed or otherwise reported to them not more than one (1) school day later.
14. Report possible incidents of child abuse per Policy 7201, Child Abuse in an Educational Setting.

D. Other School Staff

All school staff members are expected to:

1. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
2. Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
3. Assist in promoting a safe, orderly, and stimulating school environment.
4. Maintain confidentiality about all personal information and educational records concerning students and their families. Direct notification of parents and/or affected students may be warranted in an alleged breach of student information.
5. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or expression, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
6. Report orally incidents of discrimination, harassment and bullying that are witnessed or otherwise reported to the school staff member to the Dignity for All Students Act (DASA) Coordinator not more than one (1) school day later; and file a written report not later than two (2) school days after the initial oral report.
7. Report possible incidents of child abuse per Policy 7201, Child Abuse in an Educational Setting.

E. Administrators

All district administrators are expected to:

1. Promote a safe, orderly and stimulating school environment, which supports active teaching and learning.
2. Insure that students and staff have the opportunity to communicate regularly with the administrator and approach the administrator for redress of grievances.
3. Evaluate in accordance with the District APPR Plan all staff.
4. Support the development of and student participation in appropriate extracurricular programs and assess and adjust programs as needed.
5. Be responsible for enforcing the code of conduct and resolving all cases promptly and fairly.
6. Organize school schedules and teaching assignments and require effective classroom management and instruction.
7. Become acquainted with students by visiting classrooms and attending school activities.
8. Maintain open lines of communication between school and home.
9. Receive teacher or counselor referrals of students with behavior problems; confer with these students; communicate with parents; and set up cooperative procedures for bringing about modification of the student's behavior.
10. Demonstrate respect for school and societal rules.
11. Dress professionally and in a manner that complies with the standards set forth in the student dress code.
12. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or expression, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
13. If acting as a DASA Coordinator, complete any incident of discrimination, harassment, and bullying that are witnessed or otherwise reported to them not more than one (1) school day later.
14. Report possible incidents of child abuse per Policy 7201, Child Abuse in an Educational Setting.

F. Superintendent

The superintendent is expected to:

1. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, which supports active teaching and learning.
2. Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to promote and support instructional programs that encourage positive behaviors sensitive to student and teacher needs.
5. Work with school personnel in enforcing the code of conduct and resolving all cases promptly and fairly.
6. Address all areas of school-related safety concerns.
7. Dress professionally and in a manner that complies with the standards set forth in the student dress code.
8. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or expression, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
9. Review in a timely manner all reports prepared by the Compliance Coordinator or DASA Coordinator concerning an incident of alleged discrimination, harassment or bullying and ensure that appropriate reports are made to law enforcement and appropriate corrective actions have been taken in school.
10. Report possible incidents of child abuse per Policy 7201, Child Abuse in an Educational Setting.

G. Board of Education

All school board members are expected to:

1. Collaborate with students, teachers, administrators, 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 parents/visitors on school property and at school functions.

2. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting board meetings in a professional, respectful, and courteous manner.
4. Appoint a Dignity for All Students Act (DASA) Coordinator for the district. The DASA coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religious, religious practice, disability, sexual orientation, gender/gender identity or expression, and sex. The DASA Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity for All Students Act.
5. Support the efforts of teachers, staff, and community to provide the highest quality education for students.
6. Demonstrate respect for school and societal rules.
7. Be student advocates and interact with parents. (To promote an open line of communication and communicate in the appropriate setting, with the goal of helping all students to succeed and for parents to have a clear and open dialog with the Board of Education at Board of Education meetings.)
8. Dress appropriately for a public school building, when on campus, and in a manner that complies with the standards set forth in the student dress code.
9. Report possible incidents of child abuse per Policy 7201, Child Abuse in an Educational Setting.

V. 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 parent(s) 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 and professional appearance in the school setting.

A student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall:

1. Be safe, appropriate and not disrupt, distract, or interfere with the educational process.
2. Recognize that extremely brief garments, garments with plunging front, back, or sides, spaghetti straps, bare midriff, clothing that expose areas above mid-thigh, and see-through garments, but not limited to, are not appropriate.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard or is not appropriate for the activity will not be allowed.
5. Not include the wearing of hats, hoods, or costume items in the school buildings during the school day except for a medical or religious purpose.
6. Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Not promote and/or endorse the use of alcohol, tobacco, nicotine, vaping/e-cigarettes, or illegal drugs and/or encourage other illegal or violent activities.

Each building principal may allow exceptions to the student dress code for special occasions. All exceptions should be approved through the superintendent.

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

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. If necessary, parents may be contacted to assist with a student's compliance of the dress code. Any student who refuses to do so or repeatedly fails to comply with the dress code shall be seen as insubordinate and be subject to discipline, up to and including out of school suspension.

VI. 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, equipment, and district vehicles.

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

The board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function (e.g. field trips, alternative education tutoring after hours, athletic contests, dances, etc.) 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 violate these school rules will be required to accept the penalties for their conduct.

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

A. Engage in **conduct that is disorderly or disruptive**. Examples of disorderly or disruptive conduct include but are not limited to:

1. Running or inappropriate jumping in hallways.
2. Making unreasonable (extreme or excessive) noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act, which disrupts the normal operation of the school community.
6. Trespassing. Entering any school building, other than the one they regularly attend, without permission from the administrator in charge of the building, or being on school grounds for no legitimate purpose whether during or after school hours.
7. Computer/electronic communications misuse, including any unauthorized use of computers, software, e-readers, or internet/intranet accounts; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the district's acceptable use policy.
8. Electronic devices such as laser pointers, electronic games, cellular phones, cameras, and smart watches should not be used. On occasion a student may be authorized to use these items with the permission of the administrator/teacher/staff member responsible for the student at that given time. Students in grades 7 through 12 may look at, or type on, their cell phones between classes and during lunch. They may not speak on them at any time, and may only use them for photos, video, or audio recording during school with direct instructor approval. Refusal to put phones away and/or to turn over possession of such devices when instructed by staff to do so will result in disciplinary action.
9. Using shocking devices or other such equipment.
10. Riders are expected to ride responsibly and be in control of their bicycles, scooters, skateboards, and snowmobiles at all times. Bikes, scooters and skateboards cannot be ridden on athletic fields or on the track. Bikes must be parked and locked in a designated area. Once reaching the designated area, skateboards must be carried into the school. Snowmobiles must be driven and parked in designated areas. The school is not responsible for the theft of bikes, scooters, skateboards, or snowmobiles.
11. Engaging in pranks of any type, including a senior prank.

B. Engage in **conduct that is insubordinate**. Examples of insubordinate conduct include but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees.
2. Missing, leaving, or arriving late for school, or class, without permission.
3. Willfully skipping detention.

C. Engage in **conduct that is disrespectful**.

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

1. Committing an act of violence upon a teacher, administrator or other school employee, or attempting or threatening to do so. The actual, attempted, or threatened use of violent force on a staff member will result in an automatic out-of-school suspension with recommendation to the Superintendent for permanent suspension.
2. Committing an act of violence upon another student or any other person lawfully on school property, or attempting or threatening to do so, either verbally or through electronic means, such as text messages, email, or social media. The actual, attempted, or threatened use of violent force on another student will result in the out-of-school suspension of the student physically initiating the assault and the possible suspension of both students.
3. The actual, attempted, or threatened use of violent force by students freely entering into a fight on school grounds or on school buses will result in five days of out-of-school suspension in grades 7-12 with possible recommendation for a superintendent's hearing, and up to five days of suspension in grades Pre-K-6.
4. Engaging in harassing conduct, verbal threats, intimidation, or abuse, sexual or otherwise, that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical well-being.
5. Possessing and/or displaying a **weapon**. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function. Also, students using knives, arrows, clubs, or any other implements as weapons to threaten or to inflict bodily harm on other students or who use or have in their possession explosive devices such as fireworks, pipe bombs, etc., will be subject to the following procedures:
Suspension out-of-school for up to five days with a Superintendent's Hearing which may result in the following process:
A demand for psychological assessment and counseling. Further suspension. A re-evaluation hearing prior to re-instatement.
The school district will also reserve the right to involve police and to press charges from the inception of the process.
6. Threatening to use any weapon.
7. Intentionally damaging or destroying or threatening to damage or destroy the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.

8. Intentionally damaging or destroying, or threatening to damage or destroy, school district property.

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

1. Lying to school personnel, verbally or in writing, including forgery.
2. Theft of school property, the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them, through any means, including electronically. This can include posting or publishing video recordings, audio recordings, pictures, or social media posts about students or school staff without permission of school staff members, including unauthorized recordings of remote learning platforms.
4. Discrimination based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity or expression, marital or veteran status, or disability as a basis for treating another in a negative manner on school property or at a school function.
5. Harassment, which is the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotion, or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog, or service dog, disability, sexual orientation, gender or sex.
6. Harassment, which is the creation of a hostile environment by conduct or by verbal threats or threats on social media, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotion, or physical wellbeing.
7. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
8. "Internet bullying" (also referred to as "cyberbullying") including the use of instant messaging, e-mail, websites, chat rooms, text messaging, social media or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety, and welfare of students or employees. This would include similar actions carried out by creating a false identity, hacking, and or "catfishing" to do the same.
9. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking/sending/receiving sexually explicit videos/pictures/audio recordings, and other verbal or physical conduct or communication of a sexual nature.
10. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
11. Intentionally putting hands on another student regardless of relationship (friends, etc.), such as pushing, shoving, or "play" fighting, which creates an unsafe environment for those involved and/or bystanders.
12. Creating, selling, using, viewing, possessing, sharing, distributing, or transmitting obscene objects or materials or creating videos at school without permission.
13. Using or possessing matches, lighters, any form of live or spent ammunition, or any other incendiary materials.
14. Using vulgar, offensive, or abusive language/gestures, cursing or swearing, or threatening others physically or sexually.
15. Engaging in any type of sexual conduct or violent behavior on school property or while attending any school-sponsored function.
16. Possessing, consuming, selling, attempting to sell, trading, distributing or exchanging, or smoking a cigarette, cigar, pipe, e cigarettes, vape devices, or using chewing or smokeless tobacco, snuff, or any other tobacco product. Tobacco and/or e-cigarette products possessed by students on school grounds will be confiscated and destroyed.
17. Possessing, consuming, selling, attempting to sell, trading, distributing or exchanging alcoholic beverages. "Alcohol" refers to any beverage with alcoholic content, or any substances, such as powdered alcohol (Palcohol), that can be mixed with a liquid to create an alcoholic beverage.
18. Possessing, consuming, selling, attempting to sell, trading, distributing or exchanging of illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia for the use of such drugs, or being under the influence of any such substances on school property or at school functions. "Illegal substances" include, but are not limited to: inhalants, marijuana, synthetic cannabinoids (marijuana), edibles, bath salts, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
19. Possessing, consuming, sharing, selling, attempting to sell, distributing, exchanging or inappropriately using over-the-counter or prescription drugs. Students who legitimately need to use prescription or over-the-counter medications during school hours must contact the school nurse for the appropriate procedures for bringing the medications to school or carrying the medications on their person.
20. Possessing, consuming, selling, distributing, or exchanging any substance with the intent of producing an altered physical, emotional, or mental state.
21. Gambling and gaming.
22. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner, including "mooning" and "pantsing".
23. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
24. Violating gender privacy when using school restroom facilities.
25. Any intentional exposure of persons or property to bodily fluids.

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

Busing Rules

- Students must be ready when the school bus arrives.
- Students must pass in front of the school bus far enough to be seen by the driver. Students must wait at the right side of the highway, 10 feet ahead of the bus, for the school bus driver to motion them to cross.
- Students must enter and leave the bus in an orderly manner.
- Upon entering the bus, students must take seats assigned by the school bus driver and remain seated until it is time to leave the bus.
- Conversation must be held in a normal tone of voice so that the distraction of the school bus driver will be at a minimum.
- Students must not block the aisle in any manner.
- Windows may be opened only by permission of the school bus driver, and students are not to lean from or shout from open windows. Nothing is ever to be thrown from a bus window.
- The school bus is an extension of the school grounds and behavior not acceptable in school is not acceptable on the school bus.
- Students must cooperate in the maintenance of clean, sanitary, and comfortable transportation. Public Health regulations prohibit eating and chewing gum on a school bus.
- Vandalism to bus seats or other areas of the bus interior is not tolerated.
- Students are not permitted to use hairspray or cologne/perfume in school or on the bus at any time.
- Waste papers must be deposited in receptacles provided at the front of the bus.
- All students must respect the property and “persons” of others.
- In no phase of the school program is “horseplay” or “fooling around” more dangerous. No activity of this nature will be tolerated on a bus.
- No pets may be transported on a school bus.
- No student will be allowed to ride any bus other than their regularly scheduled bus unless a written note is provided in the morning.
- Board of Education and insurance regulations permit only regularly scheduled pupils to be transported in school buses without permission of school authorities.
- Public Safety Regulations prohibit the transportation of large parcels on school buses. Under no circumstance can volatile liquids or chemicals such as oil or gasoline be transported on school buses.

The school bus driver is designated as the authority on the bus. Repeated infraction of the above rules is to be reported to the building principals or superintendent of schools. Incorrect behavior may lead to the suspension of riding privileges.

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

1. Plagiarism: Plagiarism is the theft of another person’s published material and passing that material off as one’s own work.
2. Cheating: A student cheats when they conspire to fraudulently obtain class assignments or test answers from another source and pass it off as their own. Cheating also includes the giving of answers or assignments to other students.
3. Copying.
4. Altering records/forgery: Forgery is the imitation or fabrication of another person’s signature or written work.
5. Violation of the District Acceptable Use Policy for technology.
6. Assisting another student in any of the above actions.

In addition to violations of public law, commission of the conduct listed below may result in disciplinary measures. Violations of public law on school property or at school related events will result in school action regardless of whether or not criminal charges are pressed. Under appropriate circumstances, law enforcement officials will be notified of violations.

H. Concert and Assembly Rules

Out of respect for performers and presenters at assemblies, concerts, recitals, and plays, rude, loud, and disrespectful behavior will not be tolerated toward anyone who presents or performs for our school and community. The wearing of hats, hoods, or headphones during these occasions will not be accepted. Those in attendance at performances are expected to remain seated during the entire performance. If a person must leave for any reason, they should enter or leave the gymnasium/auditorium only during a break in the performance or during applause. Those in attendance at performances are expected to turn off cell phones or other electronic devices that may cause a distraction to the audience or performers or may interfere with the performance of district audio-visual equipment. Those persons who refuse to comply with these rules will be asked to leave the performance and will be subject to further disciplinary action.

I. Athletic Events

Everything in this code applies to athletes, spectators, and parents at all events, both home and away.

Students in grades Pre-K - 6 attending as spectators must be supervised by an adult at all times.

Standing in doorways is prohibited as per fire regulations.

No sound devices, such as bells, horns, etc., are allowed in the gym.

No unauthorized persons are permitted on the playing floor or field at any time.

Good sportsmanship is expected. Booing or any other harassment, including the use of vulgar or profane language, of players, cheerleaders, coaches, officials, or fans of the opposing team will not be tolerated.

For additional information, please refer to the District's Athletic Code of Conduct. Sportsmanship should always be our goal.

J. Fire Drills, Lock Downs, and Evacuations

All emergency drills are conducted to ensure the safety of our entire student body and all staff members. All students are expected to adhere to the following rules:

During drills, it is expected that students will cooperate fully and immediately comply with all directions given by any staff members.

In the case of fire drills and evacuations, students are to follow the evacuation plan posted in each room. Students are to quickly and quietly leave the building. Students and staff are to move at least fifty feet away from the building and remain there until directions to re-enter the building or move to emergency evacuation locations are given.

In a lock down situation, students are to comply with all staff directions and remain totally silent until the signal to move to safe areas is given. At that time, students will move quickly and quietly to the safe areas to await further instructions. Failure to fully cooperate during drills puts students and staff at risk, noncompliance with the above rules will result in disciplinary action.

K. Lunch/Cafeteria

A student's lunch period is determined by their personal schedule.

Students in grades Pre-K-12 fall under the Closed Campus Policy.

Students in grades Pre-K-12 will remain on school grounds for supervised lunch. Students in these grades will be allowed to leave school only under the direct supervision of their parents/guardians.

Good table manners and eating habits are expected. Students who do not follow the rules of the cafeteria may lose cafeteria privileges and face disciplinary action.

Rules:

- Be polite and respectful.
- Clean up after yourself. Throwing food will result in disciplinary action and cleaning the cafeteria.
- A pass must be obtained in advance in order to leave the cafeteria.

VII. Age Appropriate Restatement of Policy

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

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

VIII. Reporting and Responding to Violations

All students and staff are expected to promptly report violations of the code of conduct to a teacher, school counselor, building principal, the principal's designee, or superintendent. Any student or staff member observing any individual possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee, the School Resource Officer, or the superintendent.

All district staff authorized to impose disciplinary sanctions (superintendent and principals) are expected to do so in a prompt, fair and lawful manner. Parents will be notified of district code of conduct violations. District staff not authorized to impose disciplinary sanctions are

expected to promptly report violations of the code of conduct to their immediate supervisor or his/her designee, who shall in turn impose an appropriate disciplinary sanction.

Any weapon, alcohol, or illegal substance found shall be confiscated immediately, followed by notification to the parent of the student involved and the appropriate disciplinary sanction, which may include permanent suspension and referral for prosecution. Any illegal substances shall be secured until law enforcement officers are contacted. Once officers are contacted and respond, parents of the student shall be notified and appropriate disciplinary sanctions will be imposed, which may include permanent suspension and referral for prosecution. No weapons, illegal substances, and/or devices shall be returned.

The building principal or their designee or the superintendent will notify the appropriate local law enforcement agency of code violations that constitute a crime and substantially affect the order or security of the school as soon as practical, but in no event later than the close of business the day the principal or their designee or the superintendent learns of the violation. Notification to the parent/guardian may be made by telephone and followed by a letter. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

In addition to the procedures described below for removal of disruptive students and possible suspension from attendance, the District provides a procedure for responding to reports of possible discrimination or harassment against students by another student, an employee, or any other person on school property or at a school function. The process is described in the Policies 0015, Nondiscrimination in Public Accommodations and 7204 Nondiscrimination in Educational Services.

The District has also designated a Dignity Act Coordinator for each school. Those coordinators are:

Elementary School - Emily Laurey 315.205.4300 x.4426

High School - Kathleen Nebush 315.205.4300 x.5212

PO Box 46, 9733 Main Street, Remsen, NY 13438

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

No Retaliation for Reporting

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

IX. Disciplinary Consequences, Procedures & 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 and impartial. 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 and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability.

A. 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 right to due process.

1. **Oral warning** – any employee of the district staff
2. **Time out** – any employee of the district staff
3. **Written warning** – any employee of the district staff
4. **Written notification to parent** – transportation supervisor, athletic director, coaches, school counselors, teachers, teacher assistants, teacher aide/monitor, principal, superintendent
5. **Suspension from transportation** – transportation supervisor, principal, superintendent
6. **Suspension from athletic participation** – coaches, athletic director, principal, superintendent
7. **Suspension from social or extracurricular activities** – activity director, athletic director, principal, superintendent
8. **Suspension of other privileges** – transportation supervisor, athletic director, principal, superintendent
9. **After School Detention** – teacher, principal, or superintendent
10. **In-school suspension** – principal or superintendent
11. **Temporary removal from classroom** - teacher, principal, or principal’s designee
12. **Short-term (five days or less) suspension from school** – principal, superintendent, board of education
13. **Long-term (more than five days) suspension from school** – superintendent, board of education
14. **Permanent suspension from school** – superintendent, board of education
15. **Restitution** – principal, superintendent, board of education

B. Procedures

In all cases, regardless of the consequence imposed, the school personnel authorized to impose the consequence must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the consequence.

Students who are to be suspended are entitled to additional rights before the consequence is imposed. When any suspensions occur and the school is closed on the suspension dates, the suspension will carry over to the next attendance day.

C. Suspension from transportation

If students do not conduct themselves properly on a bus, the bus driver is expected to bring such misconduct to the transportation supervisor’s or principal’s attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the transportation supervisor, building principal or the superintendent. In such cases, the student’s parent will become responsible for seeing that their 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 conference with the district official imposing the discipline to discuss the conduct and the consequence involved.

D. Suspension from athletic participation, extra-curricular activities and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is **not entitled** to a full hearing pursuant to Education Law §3214. However, the student and the student’s parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the consequence involved.

E. After School Detention

A teacher, principal or superintendent may opt to assign after school detention to students in situations where removal from the classroom or suspension would be inappropriate. After school detention will be imposed as a consequence only after the student’s parent has been notified to confirm that the student has appropriate transportation home following detention.

F. In-school suspension

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

Students who are assigned In-School Suspension will be ineligible to participate in or attend any school-related activity/practice/athletic event on the day (including evening) of their suspension. If an In-School Suspension is assigned for the end of a school week and will carry over into the following week, then the student will be ineligible from participation in any activity/practice/athletic event for that weekend as well. The only exception to this will be if a student is to participate in an activity that is credit bearing (ex. choral or instrumental concert).

A student subjected to an in-school suspension is **not entitled** to a full hearing pursuant to Education Law §3214. However, the student and the student’s parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

G. Teacher disciplinary removal of disruptive students

A student’s behavior can affect a teacher’s ability to teach and can interfere with the rights of 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 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 setting. Such practices may include, but are not limited to: short-term “time out” or sending a student to a school counselor, social worker, or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

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 the teacher’s authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher’s authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher’s instructions or repeatedly violates the teacher’s classroom behavior rules.

H. Suspension from school

Suspension from school is a severe consequence, which may be imposed only upon students who are insubordinate, extremely disrespectful, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. Students suspended from school are prohibited from attending or participating in any school function on or off school property. The consequence in terms of suspension is subject to the Superintendent’s review for extenuating circumstances. The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the principals.

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

Students who are assigned Out of School Suspension will be ineligible to participate in any school-related activity/practice/athletic event on the day (including evening) of their suspension. If an Out of School Suspension is assigned for the end of a school week and will carry over into the following week, then the student will be ineligible from participation in any activity/practice/athletic event for that weekend as well.

I. 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 verbally. If the student denies the misconduct, the suspending authority provides a written and verbal explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express or overnight, mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the suspending authority prior to the suspension unless the student’s continuing presence in the school poses a continuing danger to persons or property, or an ongoing threat of disruption. 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, upon request, shall be permitted to ask questions of complaining witnesses under such procedures as the suspending authority may establish.

If the informal conference is requested, it will be scheduled at the earliest convenience of the school official.

After the conference, the suspending authority shall promptly advise the parents in writing of their decision. The suspending authority 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. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

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

When the superintendent, or their designee, determines that a suspension for more than five days may be warranted, they shall give reasonable notice to the student and the student’s parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against them and the right to present witnesses and other evidence on their behalf.

The superintendent shall personally hear and determine the proceeding or may, in their 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 them. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent.

The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

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

K. Permanent suspension

Permanent suspension is reserved for extraordinary circumstances including, but not limited to, 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.

L. Additional avenues for disciplinary concerns

1. Counseling

The school counselors shall handle all referrals of students for counseling and determine if further intervention(s) is necessary.

2. Preventive Services

Contact Guidance Counselor or Psychologist.

3. 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 they require supervision and treatment by:

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

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

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

X. Discipline of Students with Disabilities

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

This code 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, the following definitions apply:

- a. A "suspension" means a suspension pursuant to Education Law § 3214.
- b. A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
- c. 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/her current educational placement as follows:

- a. The Board, the district (BOCES) superintendent, superintendent of schools, committee of special education chairperson 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.
 - b. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement. d. The superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the jurisdiction of the educational agency. The superintendent may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with disability who violates this code of conduct.
 - 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 1/2 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.
3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his/her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

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

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

- 1. The district’s Committee on Special Education shall:
 - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.
 - i. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his/her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.
 - ii. If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines

necessary.

- b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

2. The parent(s) 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. The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
- b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
 - i. conducted an individual evaluation and determined that the student is not a student with a disability, or
 - ii. determined that an evaluation was not necessary and provided notice to the parent(s) 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 the parent 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 parent(s) 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 the parent(s) of non-disabled students under the Education Law. 5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.

6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

7. During any period of suspension or removal, including placement in an 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/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/her current educational placement during such proceedings.
- b. The parent(s) 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 parent(s) 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. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parent(s) within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to law enforcement and judicial authorities

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

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

XI. Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.
4. The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

XII. Student Searches and Interrogations

The Board is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code. 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(s) before questioning the student. However, school officials will tell all students why they are being questioned.

A student may be searched and prohibited items seized on school grounds or in a school building by an authorized District official or employee only when he or she has reasonable suspicion to believe the student has engaged in or is engaging in activity which is in violation of the law, the rules of the school (i.e., the District *Code of Conduct*), or school policy. The reasonableness of any search involves a twofold inquiry: 1) School officials must first determine whether the search is justified at its inception, and 2) School officials determine whether the search, as actually conducted, is reasonably related in scope to the circumstances which justified the search in the first place.

Factors to be considered by an authorized District official or employee in determining whether reasonable suspicion exists to search a student include:

- a) The age of the student;
- b) The student's school record and past history;
- c) The predominance and seriousness of the problem in the school where the search is directed;
- d) The probative value and reliability of the information used as a justification for the search;
- e) The nature or type of suspected or observed violation;
- f) The school official's prior knowledge of and experience with the student; and
- g) The urgency to conduct the search without delay.

If reasonable suspicion exists to believe that a student has violated or is violating the law and/or school rules, it is permissible for an authorized school official to search that student's outer clothing, pockets, or property. The search may include, but is not limited to, the

student's outer clothing such as a jacket or coat, pockets, backpack, and/or purse. Whenever possible, searches will be conducted by a staff member of the same sex as the student and another staff member will be present as a witness.

A. Student Lockers, Desks and other School Storage Places

District owned and provided desks, lockers, textbooks, computers, and other materials, supplies, or storage spaces loaned by the school to students remain the property of the school; and these items and/or places may be opened and inspected by school employees at any time without prior notice and without a student's consent. The purpose of these searches, when they occur, is to ensure the safety of students, faculty, and staff, enhance school security and prevent disruptions of the learning environment. Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over such property. However, a student's personal belongings contained within a locker, desk, etc. are subject to the reasonable suspicion standard for searches by an authorized school official.

B. Strip Searches

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat, sweater, or jacket. Strip searches are intrusive in nature and are never justified in a school setting. If school officials have highly credible evidence that a student poses an imminent danger, or if school authorities believe there is an emergency situation that could threaten the safety of others, the student will, to the extent practicable, be isolated and secured. Police and parents will be contacted immediately.

C. 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/her title and position.
7. Witnesses, if any, to the search.
8. Time and location of search.
9. Results of search (that is, what items(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/her designee shall clearly label each item taken from the student and retain control of the item(s), until the items is turned over to the police. The principal or his/her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

D. 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/her designee shall first try to notify the student's parent(s) to give the parent(s) the opportunity to be present during the police questioning or search. If the student's parent(s) cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted unless otherwise directed by the police official present in the District. 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 when such police presence or search was initiated by the District and absent a directive from the police official present otherwise.

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

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

E. 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 set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his/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/her clothing in front of a child protective services worker or school district official of the opposite sex.

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

XIII. Prohibited Staff Conduct

The Board of Education requires that all school district employees and/or volunteers maintain professional, ethical relationships with district students that are conducive to an effective, safe learning environment. Staff/volunteers must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

Staff members and/or volunteers are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct.

Inappropriate employee and/or volunteer behavior includes, but is not limited to, flirting; making suggestive comments; dating; requests for sexual activity; physical displays of affection; giving inappropriate personal gifts; frequent personal communication with a student (including but not limited to phone, e-mail, letters, notes, or social media communications) unrelated to course work or official school matters; providing alcohol or drugs to students; inappropriate touching; and engaging in sexual contact and/or sexual relations.

XIV. Visitors to the Schools

In order to allow parents, members of the community and other interested persons to learn what the District does, the Board encourages visitations to the buildings and grounds.

It is the policy of the Remsen Central School District to allow visits to the school buildings and facilities by parents, adult community members and other interested persons, according to the guidelines issued herein to preserve the safety of students and staff and to avoid disruption of the educational program.

Prohibited Acts which will be held in violation of the stated policy of the Board of Education shall include, but not be limited to:

1. Using or threatening physical force or violence to harass, abuse, intimidate, coerce or injure another, or to cause damage to or loss of property;
2. Disrupting the orderly conduct of classes or of any other authorized school program or activity;
3. Interfering with the lawful or authorized activity of other persons;
4. Entering upon school property at any time for other than lawful or authorized purposes, or without signing in at the building administration office;
5. Refusing to comply with any lawful instruction of a district official acting in the performance of his duties in carrying out this policy;
6. Any other conduct which interferes with district activities.

Visitors, licensees and invitees who engage in prohibited acts, as set forth above, will be directed to leave school property permanently or for such a period of time and under such conditions as the Superintendent shall prescribe. In addition, intervention by public law enforcement officials may be sought in appropriate instances.

In order to safeguard a school and classroom atmosphere which is conducive to learning, the Remsen Central School District

establishes the following rules for the governance of visitors to the schools. These guidelines are in addition to any rule, regulation, penalty or punishment under the provisions of existing state law.

All visitors who have legitimate business in the public schools must report to the Main Office immediately upon entering a building, sign in and receive the permission of the Building Principal or his/her designee before visiting. The visitor must sign out at the conclusion of the visit. A sign shall be posted on each entrance to all District buildings directing visitors, licensees and invitees to sign in.

Parents are welcome at school. Visitations to classrooms for any purpose require permission in advance from an administrator or his/her designee in order to allow teachers the opportunity to accommodate their schedules. Parents or guardians wishing to speak with a specific teacher concerning the progress of a child must make an appointment with the teacher, in addition to obtaining the permission of the Building Principal.

Parents are encouraged to visit guidance counselors, school nurses, school psychologists and other support personnel by appointment to discuss any concerns the parent or guardian may have regarding a student.

Any visitors wishing to inspect school records must comply with all applicable Board rules and regulations.

No staff member shall transact business with, or permit the continuing presence in the school of, a visitor who has not been duly registered. Unauthorized visitors should be reported to the Building Principal or his/her designee.

XV. 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, but not limited to students, parents, teachers and district personnel.

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

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. 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.

Animals are prohibited - with the exception of service animals - during school hours or at school-sponsored events for the safety of students and staff. In addition, animals are strictly prohibited from the track at all times.

Bikes, scooters, skateboards, and rollerblades are prohibited from the track at all times.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person 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.
3. Disrupt the orderly conduct of classes, school programs 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, or are disruptive to the school program.
5. Intimidate, harass, threaten or discriminate against any person on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, social class, sexual orientation, gender or sex.
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 vape devices, alcoholic beverages, illegal drugs, or controlled substances, or be under the influence of either on school property or at a school function.
10. Possess, use, or threaten to use weapons (or facsimiles thereof) 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. Use tobacco/marijuana products, nicotine, and/or e-cigarettes or vape devices of any kind in or on school property or while attending a school function.
15. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

16. Willfully incite others to commit any of the acts prohibited by this code.

B. Penalties

To maintain a positive and safe school environment, persons who violate this code shall be subject to the following penalties:

1. **Parents/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 and/or arrest. Violent, threatening, or criminal behaviors may warrant a permanent ban from school grounds.
2. **Students** shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements, as stated in this Code of Conduct.
3. **Tenured faculty members** shall be subject to immediate ejection and/or arrest, and disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. **District Employees** in the classified service of the civil service entitled to the protection of Civil Service Law §75 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 that they may have.
5. **Staff members other than those described in subdivisions 3 and 4** shall be subject to immediate ejection and/or arrest, warning, reprimands, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.
6. **Other(s).** 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 and/or arrest. Violent, threatening, or criminal behaviors may warrant a permanent ban from school grounds.

C. Enforcement

The superintendent, building principal, advisors, athletic director, teachers, staff and chaperones **shall be responsible for enforcing the conduct required by this code.**

When the building principal, superintendent, athletic director or their designees become aware of an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, they or their designees shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. They 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, superintendent, athletic director or their designees 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 "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

XVI. Dissemination and Review

A. Dissemination of Code of Conduct

The board will work to ensure that the community is aware of this code of conduct by:

1. Providing a public hearing prior to Board approval.
2. Posting the Code of Conduct on-line at the district's website, including annual updates or amendments thereto.
3. Providing by mail a plain language summary of the Code of Conduct to all persons in parental relation to the students prior to the beginning of the school year.
4. Providing copies of a summary of the code to all students in an age-appropriate, written plain-language version, at a general assembly held at the beginning of each school year.
5. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
6. Providing all new employees with a copy of the current code of conduct when they are first hired.
7. Making copies of the code available for review by students, parents and other community members, and provide opportunities to review and discuss the Code with the appropriate personnel.

The board may sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. 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.

The board of education, via a committee of representative stakeholders, will review this code of conduct every year and update it as necessary. In conducting 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 code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other

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

XVII. Gun Free Schools Policy

Gun Free Schools Policy

No student shall bring onto school premises or have in their possession on school premises any "firearm" as defined in federal law. For the purpose of this policy, the term "firearm" shall mean: any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or other propellant; the frame or receiver of such weapon; any firearm muffler, or silencer; or any destructive device.

In accordance with the Gun-Free Schools Act of 1994, any student found guilty of bringing a firearm onto school premises or having such a firearm in their possession on school premises, after a hearing has been provided pursuant to Section 3214 of the Education Law, will be suspended from school for a period of not less than one year. However, after the imposition of the one-year penalty has been determined, the Superintendent of Schools may review and modify such suspension requirement for a student on a case-by-case basis. In reviewing the student's one-year suspension penalty, the Superintendent may modify the penalty based on factors as set forth in Section 100.2 of the Regulations of the Commissioner of Education and in Commissioner's Decisional Law.

For students who are classified as having a disability under the Individuals with Disabilities Act (IDEA) and Part 200 of the Commissioner's Regulations, a suspension for more than ten days constitutes a change of placement. As such, if a student with a disability brings a weapon to school in violation of Board policy and federal law, the District will not follow the procedures under Education Law Section 3214. It will also provide parental notice in accordance with Commissioner's Regulations to refer the student to the Committee on Special Education (CSE) before a change of placement (i.e., a suspension for more than ten days) is revoked.

The District will continue to offer students with disabilities a free and appropriate public education despite any suspension imposed as a result of this Board policy. Additionally, this policy does not diminish the authority of the Board of Education to offer courses in instruction in the safe use of firearms pursuant to Education Law Section 809-a. This policy does not prohibit Remsen Central School from utilizing other disciplinary measures, including but not limited to, out-of-school suspension for a period of five days or less or in-school suspensions in responding to other types of student misconduct which infringe upon the established rules of the school.

The District will continue to provide the suspended student with appropriate alternate instruction during the period of the student's suspension. Regulations shall be developed by the administration to implement this policy.

Remsen Central School District

Legal Ref: NYS Education Law §§809-a, 2801, 3214; 8 NYCRR 100.2 and 200; NYS Public Law §§101-476; IDEA; 18 USC 921;
Goals 2000: Educate America Act P.L. 103-227 (Gun Free Schools Act of 1994)

Adopted: 06/21/01

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