WHITE PLAINS PUBLIC SCHOOLS

CODE of CONDUCT

APPROVED
BOARD OF EDUCATION

JULY 1, 2025

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Preamble

This Code of Conduct (Code) was developed by the White Plains City School District's community and adopted by the Board of Education at its meeting on June 25, 2001 in response to the New York State Safe Schools Against Violence in Education Act (Project SAVE). It was last reviewed and amended at the July 1 , 2025 Board of Education meeting.

The Code was developed around the belief that a dynamic educational environment is one that creates opportunities for the development of responsible and productive citizens. It is one where everyone is treated with respect and dignity and where decisions are based solely on what works best for students.

White Plains has had a long history of high expectations for acceptable behavior. This comprehensive document incorporates and expands upon many of the policies and programs that have been in use in the district for some time (e.g., character education, Positive Behavior Intervention Strategies (PBIS), peer mediation, social decision making, conflict resolution, and counseling). Current school building rules, regulations, and procedures will remain in effect unless specifically superseded by the Code. This Code of Conduct provides a legal and procedural framework for disciplinary decisions regarding inappropriate behavior or misconduct on school property, at school-sponsored events/activities, or off of school grounds, if the behavior or misconduct creates, or would foreseeably create, a risk of a substantial disruption within the school environment.

The Code of Conduct was designed around the following six core principles that govern its implementation:

Principle 1: A safe and productive school environment is essential for learning.

The safety and welfare of our students, staff, and visitors will take priority over an individual's right to self-expression. While the district believes that an individual should have wide latitude for self-expression, limitations must be established in order to maintain a safe and productive learning environment.

Principle 2: Students, staff, and visitors are responsible for their own actions.

Making choices that contribute to a safe, respectful learning environment and assuming personal responsibility for those choices is a critical component of the teaching and learning process. Self-discipline, awareness, and self-management is the objective.

Principle 3: Home/school partnerships are critical to student success.

Because parents/guardians should be active participants in all aspects of their child's education, meaningful communication and cooperation between the home and the school are essential to a proactive, collaborative approach to the implementation of any effective student discipline practice.

Principle 4: School rules and their implementation should be fair, just, and reflect an anti-bias mindset.

Consequences for code infractions, as well as the disciplinary procedures themselves, should be timely, fair, consistent, impartial, and respectful of cultural differences.

Principle 5: Progressive consequences and restorative justice provide opportunities for students to learn from their mistakes.

The first step in any disciplinary action should be to allow students to learn and grow from their mistake and to repair the damage done to either staff or students.

Principle 6: Respect must be given for each person's unique needs.

While the rules apply to everyone, it is acknowledged that a student's special needs or circumstances must be considered when imposing disciplinary consequences.

I. Glossary of Terms

For purposes of this Code, the following definitions apply:

Students.
Students refers to individuals from prekindergarten through age 21 who are either residents or non-residents of the district and attend any district school or who are placed in out-of-district programs by the district. Non-resident students include tuition-paying students, children of district staff who reside elsewhere, and students who reside elsewhere and are assigned to a district school through special education arrangements.

Progressive Consequences.
Progressive consequences involve incremental interventions to address negative behavior, with the goal of teaching pro-social behavior rather than imposing punishment. The goal is to prevent a recurrence of negative behavior by helping students learn from their choices. They are designed to promote accountability and behavioral change by helping students:

- Understand why the behavior is unacceptable and the harm it has caused.
- Learn alternative responses for similar situations.
- Take responsibility for their actions.
- Develop problem-solving and self-regulation skills.
- Recognize the increasing severity of consequences for repeated behavior.
- Repair relationships with staff and/or students, if appropriate.

Aversive intervention.
Aversive intervention means an intervention that is intended to induce pain or discomfort for the purpose of eliminating or reducing student behavior, including, but not limited to, such interventions as:

- contingent application of noxious, painful, or intrusive stimuli or activities, such as strangling, shoving, and deep muscle squeezes
- use of noxious, painful or intrusive spray, inhalant or tastes
- contingent food programs that include the denial or delay of the provision of meals or intentionally altering staple food or drink in order to make it distasteful
- Use of movement limitation as punishment

Aversive interventions do not include voice control, time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar measures.

Corporal punishment.
Corporal punishment refers to any act of physical force upon a student for the purpose of punishing that student. It does not include physical restraints that are necessary to prevent imminent danger of serious physical harm to the student or others when alternative methods are not viable. Physical restraint means immobilizing or reducing the ability of a student to move their arms, legs, body or head freely but excludes a physical escort and brief physical contact and/or redirection to promote student safety, to calm or comfort a student, to guide a student when teaching a skill, to assist a student in completing a task or for other similar purposes.

Disability.
For the purposes of this document, the term "disability" means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of typical bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in the context of employment, the term is limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the individual from performing in a reasonable manner the activities involved in the job or occupation sought or held.

Student with a disability.
For the purposes of this document, the phrase "student with a disability", means a student who, because of mental, physical or emotional factors can only receive appropriate educational opportunities from a program of special education. This phrase does not include students whose educational needs are due primarily to unfamiliarity with the English language, environmental, cultural or economic factors.

Disruptive behavior.
Disruptive behavior is behavior that compromises safety or significantly interferes with the learning environment. Determination of substantial disruption or interference will be based upon the age and cognitive functioning of the student, the frequency, intensity, duration, and impact of the behavior. Please see page 12-13 for an illustrative list of disruptive behaviors.

Gender.
For the purposes of this document, the term "gender" means actual or perceived sex, including gender identity or expression. Gender identity is an individual's self-conception as male, female, non-binary and/or gender fluid, distinct from biological sex. Gender expression refers to outward presentations of gender through behavior, clothing, hairstyles, or appearance.

Harassment and Bullying
For the purposes of this document, the terms "harassment" and "bullying," including cyberbullying, means the creation of a hostile environment by conduct or by threats, intimidation or abuse that:

- has or would have the effect of unreasonably and substantially interfering with a student's education or well-being; or
- reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
- reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Acts of harassment and bullying shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.

Cyberbullying.
Cyberbullying shall mean harassment or bullying that occurs through any form of electronic communication.

Parent.
The term "parent" includes a birth and adoptive parent, a legally appointed guardian authorized to act as a child's parent or authorized to make educational decisions, and an individual in legal parental relationship to a child.

School personnel.
For the purposes of this document, the term "school personnel" refers to individuals employed or contracted by the district, including teachers, staff, related service providers, consultants, and bus company employees.

School property.
Any district-owned building, structure, field, playground, parking lot, or land. For the purposes of this document, a school bus is also considered school property.

School bus.
For purposes of this document, the term "school bus" means every motor a vehicle used for the transportation of students, children of students, teachers or other persons acting in a supervisory capacity to or from school or school functions.

School function.
Any district-sponsored event or activity, whether on or off campus, during or after school hours.

Sexual orientation.
For the purposes of this document, "sexual orientation" means actual or perceived heterosexuality, homosexuality, asexuality or bisexuality.

Violent behavior.
Violent behavior is behavior that endangers the safety, health, or welfare of a student. Please see pages 13-14 for an illustrative list of violent behaviors.

Visitors.
Individuals who are not students or school personnel but are lawfully on school property or attending a school function.

Weapon.
Any firearm, incendiary device, instrument, material, or substance that can cause injury or death or is used to threaten such injury or death, including, but is not limited to, any firearm or gun (e.g., BB gun, pellet guns, airsoft and paintball guns, pistol, revolver, shotgun, rifle, machine gun, electronic stun gun, electronic dart gun, disguised gun, gun created using a 3d printer, etc.), any knife (e.g., dagger, dirk, razor, stiletto, switchblade knife, gravity knife metal knuckle knife, box cutter, cane sword, Kung Fu star), brass knuckles, sling shot, corkscrew, pepper spray, aerosol cans or sprays or other noxious spray, explosive or incendiary bomb.

II. Rights and Responsibilities

The White Plains City School District is committed to safeguarding the rights given to students, parents/guardians, and school personnel under State and Federal law and to promoting a safe, healthy, orderly, respectful and civil school environment that ensures an appropriate education for all. Students, parents/guardians, and school personnel have the right to disclosure of all policies, rules, and procedures regarding expectations for behavior.

All students have the right to be free from discrimination, harassment and/or bullying by employees or students on school property or school functions based upon their actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

The following list of responsibilities is by no means exhaustive. It is meant to highlight some of the principal expectations for each group.

A. Students

Students are responsible for:

- Attending school daily and on time.
- Understanding and following school and district policies, adult directives, regulations, and rules.
- Respecting school personnel and peers.
- Maintaining a safe and civil school environment.
- Not engaging in actions that discriminate against, harass, or bully another person.
- Reporting incidents of discrimination, harassment, or bullying to school personnel.

B. Parents/Guardians

Parents/guardians are responsible for:

- Ensuring. their children attend school regularly, on-time and are prepared to learn.
- Cooperating with school personnel and fostering a positive attitude toward education.
- Giving their children an understanding of what positive behavior is, for example respect for adults and peers, courtesy, self-discipline, appropriate behavior and following district and school policies, regulations and rules.
- Informing the school of any safety concerns.
- Discussing with their children the importance of mutual respect for their peers, school personnel, and other individuals on school grounds and at district events and activities.

When on school property, at events, or participating in online events parents must:

- Follow school and district policies, regulations, rules and staff directives.
- Behave in a civil and respectful manner.
- Contribute to maintaining a safe school environment that is conducive to learning.
- Refrain from engaging in discrimination, harassment, or bullying of others.

C. School Personnel

School personnel are responsible for:

- Maintaining a safe and respectful learning environment.
- Treating all students with respect and fairness.
- Knowing and upholding school and district policies, regulations and rules consistently.
- Communicating effectively with students and parents.
- Addressing and reporting discrimination, harassment, or bullying.
- Recognizing personal biases and ensuring equal treatment of all students.

D. Visitors

Visitors are responsible for:

- Following school and district policies, regulations, rules and staff directives.
- Behaving in a civil, safe and respectful manner whether on district property or participating in district online meetings .
- Contributing to maintaining a safe school environment that is conducive to learning.
- Reporting any known safety concerns to the district.
- Refraining from engaging in discrimination, harassment, or bullying of others.

E. Board of Education

The Board of Education is responsible for:

- Establishing policies that maintain a safe and orderly learning environment.
- Approving and ensuring community awareness of the Code of Conduct.
- Reviewing and updating the Code of Conduct each year for effectiveness and fairness.
- Promoting a climate of mutual respect and dignity for all.
- Refraining from engaging in discrimination, harassment, or bullying of others.

III. Dress Code

A. Students

All students are expected to dress for school and school-sponsored functions in a manner that adheres to the bullet points below. The district believes that to do otherwise takes away from the learning process. It is the responsibility of both parents and students to ensure that the student's dress (including jewelry) is aligned to the bullets below and does not materially and immediately disrupt or interfere with the educational process. A student should:

- Not wear items that include language, symbols, or images that are sexually suggestive, profane, discriminatory, or that denigrate others.
- Not wear items that promote and/or endorse the use of alcohol, tobacco, cannabis/marijuana or illegal drugs and/or encourage other illegal or violent activities.
- Not wear items that cover the face and decrease the ability to recognize the student, except for a medical or religious purpose.
- Not wear garments that expose a student's chest, undergarments, or buttocks.

While some of these garments are inappropriate under this Code for older students, they might be appropriate for children in the prekindergarten or the early primary grades. In administering this Code, principals/directors (or their designee) will use their discretion in enforcing the policy in these early grades.

Decisions regarding consequences for inappropriate attire should reflect the objective application of the Code of Conduct, regardless of gender and/or body type. Students may be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Students who refuse to modify their dress or who repeatedly fail to comply with the dress code shall be subject to a range of disciplinary actions listed in Section VI. Based on the circumstances, it is at the discretion of school staff to determine the consequence warranted for inappropriate attire.

B. School Personnel

A dress code for employees is a mandatory subject of collective bargaining and, as such, may not be imposed upon unionized district personnel without negotiations.

Nevertheless, school personnel are responsible for ensuring that their dress is safe and appropriate and does not disrupt or interfere with the educational process. They should not wear items that:

- Include language, symbols, or images that are sexually suggestive, profane, discriminatory, or that denigrate others.
- Promote and/or endorse the use of alcohol, tobacco, cannabis/marijuana or illegal drugs and/or encourage other illegal or violent activities.

C. Visitors and Parents/Guardians

When on school property and/or attending a school function, it is the responsibility of all visitors and parents/guardians to ensure that their dress is safe and appropriate and does not disrupt or interfere with the educational process. They should not wear items that:

- Include language, symbols, or images that are sexually suggestive, profane, discriminatory, or that denigrate others.
- That promote and/or endorse the use of alcohol, tobacco, cannabis/marijuana or illegal drugs and/or encourage other illegal or violent activities.

IV. Student Conduct

The White Plains City School District 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, as well as for the care of school facilities and equipment.

Additionally, students are required to abide by the rules contained within this *Code of Conduct* when engaged in remote instruction.

Violations of the *Code of Conduct* and/or engaging in prohibited conduct may result in disciplinary action as warranted.

The best discipline:

- leads to growth,
- accounts for student voice,
- is culturally responsive,
- may be restorative in nature, and
- allows each day to be a fresh start for the student.

Students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the student's ability to self-regulate.

The district recognizes the need to make its expectations for student conduct, both while on school property and while engaged in a school function, specific and clear. Students who do not adhere to behavioral expectations will be provided an appropriate consequence.

The district's three student behavior expectations are followed by a list of specific conduct that is expected and prohibited under each expectation.

Expectation 1: Students shall abide by school rules, respond to school personnel, and conduct themselves in a manner that is civil and orderly, courteous, respectful and empathetic of those around them.

Students must:

- *Engage in any conduct that contributes to a positive learning environment.* Examples include, but are not limited to:
    - Respecting all members of the school community
    - Respecting the personal property of others
    - Following the directions of all school personnel
    - Keeping electronics away for the day
    - Using language and/or gestures that are civil, orderly, courteous, respectful, and empathetic of those around them
    - Remaining calm on the school bus while behaving in a manner that is civil, orderly, courteous, respectful, and empathetic of those around them, including the bus driver
    - Promoting the safety of bus occupants by not distracting or interfering with the bus driver
    - Keeping the classroom volume at a level that is conducive to the educational process
    - Walking calmly and keeping our hands to ourselves in the hallways (running in hallways is unsafe behavior
    - Being on time for class and remaining in school unless authorized to leave campus
    - Only be on the school grounds of the school they regularly attend or seeking permission to be on school grounds of a school that they do not regularly attend from the administrator in charge of the building (Students who pick up their siblings or who visit teachers must sign-in and get a visitor's pass)

Students should not:

- Ignore or disregard directions or requests of all school personnel.
- Use an internet abled device (cell phone) that has not been supplied by the school within any school district buildings during the school day, as per state law and regulation. Exemptions may be granted by district staff and/or administration as per district policy and state law. Students assume sole responsibility for the safekeeping of any personal device. The

White Plains City School District is not liable for any lost, stolen, or damaged personal devices.

- Use personal or District issued electronic devices for video and/or sound recording and photographing of staff and students without their permission. Recording is strictly prohibited in all classrooms, buildings, restrooms, changing areas and at any school function/event. Electronic devices include, but are not limited to, cell phones, ear pods, smart watches, tablets, digital media players and remote gaming devices. Exceptions may be authorized by staff approval.
- Interfere with classes, assemblies or other school functions.
- Except as permitted as part of physical education instruction, athletic practice, game or event, or as authorized by district personnel, throw any objects in school, inside a bus, or out the window or door of a school or bus.
- Distributing or posting of any written material, pamphlets, or posters without the prior written approval of the Superintendent (or designee). In making these decisions, the Superintendent (or designee) will give due consideration to the student's rights of free speech and expression.
- Using or having laser devices is prohibited.

Expectation 2: Students shall engage in behaviors that promote a safe learning environment and resolve disagreements or disputes in a non-violent manner. They shall demonstrate respect, empathy and acceptance towards others.

They may:

- Seek support from an adult when conflict arises
- Request a restorative conversation or mediation
- Use coping strategies to self-regulate and reflect

They must:

- Report disagreements or disputes to an administrator or staff member if they compromise the safety of the educational environment.

They must not:

- *Engage in violent behavior or in behavior that is threatening or that could jeopardize the safety and welfare of the school, school personnel, other students or visitors.*
  Examples include:
  - Engage in behavior that is threatening or that could jeopardize the safety and welfare of the school, school personnel, other students or

visitors including but is not limited to: using physical force such as hitting, spitting, biting, kicking, stabbing, pushing, breaking the skin or otherwise wounding, punching or scratching.

- Engaging in, while on school property, or at a school function, a physical altercation or harmful act towards another student or any other person on school property or at a school function or attempting to do so. This includes but is not limited to using physical force such as hitting, spitting, biting, kicking, stabbing, pushing, breaking the skin or otherwise wounding, punching or scratching.
- Possessing, while on school property, or at a school function, 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.
- Displaying, while on school property or at a school function, what appears to be a weapon.
- Threatening, while on school property or at a school function, to use a weapon or other device, instrument, material, or substance that can cause physical injury or death. This includes but is not limited to threatening to harm themselves or others (verbally, in writing, e-mail, on social networking sites or by any other means).
- Intentionally damaging or destroying the personal property of any person on school property or at a school function, including graffiti.

Expectation 3: Students shall conduct themselves in a manner that promotes a safe, ethical, and equitable environment by acting truthfully, honestly and with integrity.

They must not:

- *Engage in any conduct that endangers the safety, morals, health or welfare of themselves and others.*
  Examples include, but are not limited to:
  - Lying to school personnel
  - Stealing the property of others. students, school personnel, or visitors.
  - Defaming, which includes making false 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 (verbally, in writing, e-mail, on social networking sites or by any other means).

- Selling, using, distributing or possessing obscene or sexually explicit material (verbally, in writing, e-mail, on social networking sites or by any other means).
- Using vulgar abusive language and or discriminatory language, cursing, or swearing (verbally, in writing, e-mail, on social networking sites or by any other means).
- Possessing or smoking a cigarette, cigar, *vaping devices* or pipe, or possessing or using chewing tobacco. Possessing, using, selling, or distributing electronic cigarettes, vaping devices, or associated paraphernalia (including, but not limited to, cartridges/capsules/pods).
- Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, cannabis (including marijuana, hashish and hash oil), cannabis/marijuana derivatives (including cannabis oil and/or wax, marijuana oil and/or wax), and electronic cigarettes, vaping devices, or associated paraphernalia (including, but not limited to, cartridges/capsules/pods) containing such products, cocaine, LSD, PCP, Ecstasy, amphetamines, heroin, fentanyl, opioids, steroids, look-alike drugs, synthetic drugs and any substances commonly referred to as "designer drugs."
- Inappropriately using, sharing, or selling of any prescription or over-the-counter drugs.
- Possessing drug paraphernalia including, but not limited to, rolling paper, pipes, blunts, electronic cigarettes, vaping devices and associated paraphernalia (including, but not limited to, cartridges/capsules/pods), etc.
- Gambling.
- Engaging in gang-related activities and/or displaying gang symbols and paraphernalia.
- Indecent exposure, that is, exposing to sight the private parts of the body in a lewd or indecent manner, such as mooning and flashing.
- Initiating a false report warning of fire, bomb threat, or other catastrophe, including any intentional misuse of 911.
- Intentionally discharging a fire extinguisher without a valid reason or causing a fire extinguisher to discharge without a valid reason.
- Discriminating, which includes the use of actual or perceived race, ethnicity, culture, country of origin, language, religion, gender,

sexuality, medical condition, height, weight, religious practice, or (dis)ability as a basis for treating another in a negative manner.

- Intimidation, which includes engaging in actions or making statements that illicit fear or concern in another individual or individuals.
- Engaging in harassment and/or bullying, in all its forms, which includes a sufficiently severe threat, intimidation or abuse **or** a persistent, pervasive pattern of threats, intimidation or abuse directed at an identifiable individual or group as defined in Article I of this Code of Conduct. This includes bullying, cyberbullying and sexual harassment.
- Engaging in hazing behaviors, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any activity, organization, club, or team.
- Engaging in intimate sexual behavior or inappropriate touching.
- Driving unsafely or violating the NYS traffic laws on school grounds.
- Withholding information from a responsible adult about any individual who may potentially cause harm to themselves, others, or school property.
- Falsely accusing another individual of a possible violent or unlawful act.
- Engaging in bullying, which is a form of harassment that consists of inappropriate persistent behavior including threats or intimidation of others, treating others cruelly, terrorizing, coercing, or habitual insults and/or badgering others.
- Engaging in cyber-bullying, which includes, but is not limited to, using the internet, social networking sites, cellular phones, gaming devices, or other communication devices to intimidate, bully, harass, or embarrass other students or staff members. Students who engage in such activity on school grounds, or who engage in such activity off campus and create a material disruption of school operations, shall be subject to consequences for bullying and harassment, as well as possible criminal penalties.
- Using electronic communication devices (e.g., cell phones) to disrupt the educational process.
- Engaging in any conduct off school property that endangers the safety, morals, health or welfare of students or staff members within the school and creates or would foreseeably create a risk of substantial disruption within the school environment and/or where

it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

They must not:

- *Engage in any form of academic misconduct.*
  Examples include, but are not limited to:
  - Plagiarism
  - Cheating
  - Forgery
  - Altering records
  - Misusing computer/electronic communications including any unauthorized use of computers, software, or internet/intranet account; accessing websites unauthorized by the district; accessing social networking sites, games, videos or chat rooms, except as authorized by district personnel as part of an instructional program; hacking and other destructive acts that damage the district's network or using the district's network to engage in unauthorized use such as video hacking; any other violation of the district's acceptable use policy; or any other violation of the internet safety policy or regulations.
  - Assisting another student in any of the above actions.

V. Reporting of Infractions

A. By Students

All students who witness or are aware of what they believe is an unlawful or violent act in school, on the school bus at a school function – are expected to promptly report the matter to an adult. All students who are witnesses to, or subjected to, incidents of discrimination, harassment and/or bullying by another student, by a District employee and/or by any other visitor on school property or at a school function, are expected to promptly report the matter to an adult. The district will hold the identity of the reporter in confidence to the maximum extent possible.

B. By School Personnel

After receiving a report of an infraction of the Code of Conduct or a report of discrimination, harassment and/or bullying against any student all school personnel who are authorized to provide consequences are expected to investigate the situation, seek to understand any underlying reasons for the behavior and implement appropriate disciplinary consequences as necessary in a timely, fair, consistent, anti-biased and impartial manner. In addition, school personnel may work with support

staff (i.e., School psychologists and social workers) to plan restorative and proactive strategies to support student growth, self-awareness, self-regulation and self-discipline. All school personnel who are witnesses to incidents of discrimination, harassment and/or bullying against any student by a student, by a district employee and/or by a visitor on school property or at a school function, are expected to report and investigate the situation and implement appropriate disciplinary consequence as necessary in a timely, fair, consistent and impartial manner. School personnel who are not authorized to implement disciplinary consequences are expected to promptly verbally report infractions of the Code of Conduct and/or incidents of discrimination, harassment and/or bullying against any student to their building principal, the principal's designee, or the Dignity Act Coordinator in the school building no later than one school day after such school personnel witnesses or receives a report of such conduct and to file a written report with the principal, the principal's designee, or the Dignity Act Coordinator in the school building not later than two school days after making a verbal report of an incident of discrimination, harassment and/or bullying. The principal, the principal's designee, or the Dignity Act Coordinator shall in turn investigate the situation and implement an appropriate consequence as necessary or refer the matter to a staff member who is authorized to implement an appropriate consequence. The principal, the principal's designee, or the Dignity Act Coordinator may work with other staff to implement proactive measures to support student growth, self-awareness, self-regulation and self-discipline.

C. By Parents/Guardians and Visitors

All parents/guardians and visitors who witness what they believe to be a violent or unlawful act or who are aware of a potentially violent or unlawful act – in school or at a school function – are expected to promptly report the matter to school personnel. All parents/guardians and/or visitors who are witnesses to incidents of discrimination, harassment and/or bullying by a student, by a district employee and/or by any other visitor on school property or at a school function, are expected to promptly report the matter to school personnel. The district will hold the identity of the reporter in confidence to the maximum extent possible.

D. By Organizations Using School Property

Any organization that uses school property for an activity involving students must develop a set of procedures that are consistent with the Code of Conduct and must hold participating students to the same high behavioral expectations as the White Plains City School District. In addition, the organization must act in conformity with district procedures for reporting infractions of the Code of Conduct that constitutes a crime to the White Plains Police Department and for reporting incidents of discrimination, harassment and/or bullying by a student, by a district employee and/or by any other visitor on school property or at a school function to school personnel.

E. To Local Law Enforcement Agency

The principal/director (or designee) must notify the White Plains Police Department, our local law enforcement agency, by calling either 911 or the Youth Division or a

school resource officer assigned to the district of those code infractions that constitute a crime including but not limited to incidents of possession of a weapon, possession of a controlled substance, harassment, assault, menacing, sex offences, riot, arson, theft or trespass. Such notification shall occur as soon as practical, but in no event more than 24 hours after learning of the infraction.

F. Discrimination, Bullying and/or Harassment

It is essential that all targets and persons with knowledge of incidents of discrimination, bullying and/or harassment report such behavior as soon as possible after the incident so that it may be effectively investigated and resolved. The White Plains City School District will promptly and equitably investigate all complaints, formal or informal, verbal or written. In order to assist investigators, individuals should document the incidents of discrimination, bullying and/or harassment as soon as it occurs and with as much detail as possible including: the nature of the incident(s); dates, times, places it has occurred; name of person(s) causing harm; witnesses to the incident(s); and the target's response to the incident. If, after appropriate investigation, the White Plains City School District finds that a student, an employee or a third party has violated the Code of Conduct, prompt corrective and possibly disciplinary action will be taken in accordance with this Code of Conduct, applicable collective bargaining agreements, district policy and State law.

VI. Student Disciplinary Infractions – Consequences, Procedures and Referrals

A. Introduction

It is expected that any infractions of the Code of Conduct be dealt with in a timely manner and in a way that is fair, impartial, inclusive and consistent. The Code of Conduct is *not* intended to replace customary classroom management, regulations, and procedures already in place in the district.

In determining the appropriate disciplinary action, school personnel authorized to implement disciplinary consequences will consider the following:

- The student's age and grade level.
- The nature of the behavior and the circumstances which led to the behavior.
- Student input on the incident, their role and possible consequences.
- If applicable, the student's prior history of disciplinary consequences and the effectiveness of those consequences.
- Information from parents, teachers, and/or others, as appropriate.

- Other extenuating circumstances such as the emotional, physical, personal experiences or mental state of the student or possible underlying reasons.

Depending on the nature of the misdeed, it is the Board's desire that the consequences for student behavior are progressive (i.e., a student's first violation may merit a lighter consequence than subsequent misbehaviors). It is also the Board's desire that staff take into account all other relevant factors in determining an appropriate consequence. Based on the circumstances, it is at the discretion of school staff to determine the consequence warranted by a particular misdeed.

B. Parental Communication

In developing the Code of Conduct, the importance of strong communication between the school and the home was emphasized. It is the expectation of the district that school administrators will inform parents/guardians in a timely fashion about their children's infractions of the Code. It is also expected that the administrators will identify for parents/guardians areas where their assistance is not only expected, but critically important.

C. Remedial Measures

In order to create and maintain a positive learning environment for all students, the White Plains City School District believes that certain remedies and procedures which focus on intervention and education should be utilized. Such remedial measures are designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act(s). School personnel are authorized to provide for: restorative circles, peer support groups, corrective instruction and/or other relevant learning or service experiences; supportive intervention; behavioral assessments(s) and/or evaluation(s); behavioral management plans; and/or student counseling and parent/guardian conferences.

D. Consequences and Procedures

Students who have demonstrated behavior that is inconsistent with the district's Code of Conduct may be subject to the following consequences and procedures, either alone or in combination. In general, consequences will be progressive, will focus on restorative practices and proactive strategies and will result in a decrease in a student's disciplinary referrals and follow the continuum listed below. This means that, where appropriate, a student's first infraction will usually merit a lesser consequence than subsequent infractions. Each infraction of the Code of Conduct should be reviewed and evaluated through the lens of a fresh start. However, it must be understood that certain infractions may require more severe consequences due to the seriousness of the behavior. Unless the student's behavior poses an immediate threat to his/her safety or the safety of others, removal of a student from the learning environment should be instituted only when more moderate consequences have been ineffective.

The type of due process a student is entitled to receive depends on the consequence under consideration. In all cases, regardless of the consequence implemented, the school personnel authorized to implement 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 administrator implementing the disciplinary consequence before the implementation of the consequence.

The following list of consequences and procedures includes, for moderate to more serious consequences, the due process rights accorded to students:

- **Proactive Strategies.** Proactive strategies are utilized within the classroom to support the development of positive, respectful behaviors and foster a safe, inclusive learning environment. Where appropriate, proactive strategies should be considered before imposing any consequences. These strategies include but are not limited to: giving the student an opportunity to regain composure and self-control, clear behavioral expectations, Zones of Regulation, informal behavior plans, community circles, behavior contracts, breaks the use of a restorative place, seeking the support of PPS staff, check in and check outs with designated staff. Strong classroom management, relationships with students, and engaging curriculum that allows for student voice and choice are the foundation of proactive positive behavioral support. These techniques *do not* constitute "a teacher removal" for the purposes of this Code of Conduct

- **Logical Consequences.** Logical consequences may be utilized as an alternative to removal from the learning environment. For example, for an inappropriate use of technology (e.g., use that threatens, discriminates against, harasses and/or bullies another person) a logical consequence may be to block wifi and cellular connection in school for the inappropriately used electronic device(s). This measure includes prohibiting a student from bringing personal and/or school issued electronic device(s) to school for a specified period of time. Logical consequences may be imposed after verbal or written notice of the consequence is provided to the student's parents.

- **Oral warning.** Any verbal correction, redirection, or suggestion made to a student by school personnel during the day on how to improve their behavior is considered an oral warning and does not require parental notification.

- **Restorative Practices.** The use of restorative circles and restorative practices may be utilized to repair harm caused by the nature of the behavior. Some restorative practices may require the consent of the parents/guardians of the students involved or of the students themselves if they are 18 years of age or older.

- **Short-term "break" in classroom or in alternate setting.** When an oral warning results in no appreciable change in a student's behavior, the student may be asked

to have a short time-out in the classroom or outside the room in a designated place. Parents will be notified if there is a repeated occurrence of breaks. Each classroom may set up a calm corner where students may go to self-regulate. Classroom breaks should be clearly defined with expectations and time limits. Students may be permitted to identify their own need for a break.

- **Student sent to the office for a disciplinary conference.** When a student is sent out of the classroom for a disciplinary conference, depending on the misconduct's severity, a parent may be notified by a phone call or letter.

- **Detention – during the school day or after.** Students who receive detention are sent by school personnel to an alternate location within the building. In the case of detention during the school day, parents are notified. After-school detention should be implemented as a consequence only after the student's parent/guardian has been notified to confirm that there is no parental/guardian objection to the consequence and that the student has appropriate transportation home following detention.

- **Principal's conference.** This is a required meeting between the principal/director (or designee) and parent/guardian for a comprehensive review of the child's behavioral and academic status. It is intended to be both a warning and a "problem solving" procedure by which all involved parties cooperatively develop a behavioral management plan to avoid more serious disciplinary action. It is designed to address, in a non-punitive fashion, the needs of students whose behaviors in school demonstrate a pattern of disruption.

- **Teacher removal of students.** Teachers may remove students demonstrating disruptive behavior from the classroom (see pages 11-12 of the Code of Conduct for descriptions of disruptive behaviors). This is not to be confused with suspension. Suspension is a consequence that only administrative personnel can implement.

  A student's behavior that makes the learning environment unsafe or inaccessible to others or substantially interferes with the teacher's authority over the class shall be categorized as disruptive and can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances, proactive classroom strategies can mitigate disruptive behavior. Clear expectations and guidelines should be developed at the building level to ensure inclusive application of student removal from the classroom. In addition, it is the expectation that teachers will have employed positive behavioral strategies, prior to utilizing the removal of a student from the classroom.

  When a student's behavior creates an unsafe environment for the student or others or substantially interferes with the teacher's authority over the class, a teacher has the right to remove a student from the classroom for a period of time not to exceed two days. The two-day time period does not include the day of removal and applies

only to the specific class of the removing teacher. The removal only applies to the class of the removing teacher. A teacher may not use these provisions more than two times a semester for the same student.

The teacher removal provision of this Code of Conduct is initiated when a teacher believes that a disruptive student must be removed from the classroom. If the student's behaviors do not pose a continuous physical or emotional safety risk, proactive and restorative practices are recommended as an alternative to classroom removal.

If the student is a continuous disruption in class, administrative intervention and parental/guardian involvement is required. A student demonstrating violent behavior is to be promptly referred for disciplinary action through administrative channels.

Once a teacher has determined that removal is warranted, the following provisions apply:

- Prior to removal, unless the student's behavior poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation as to why the student is being removed and give the student an opportunity to explain their version of the relevant events. Staff need to take into account the student's explanation and any circumstances that might lead to a restorative approach rather than classroom removal. When the student's behavior poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, the teacher must inform the student with an explanation of the reasons for the removal and an informal opportunity to be heard within 24 hours of the student's removal unless the 24 hours does not end on a school day, then the time for the informal opportunity shall extend to the corresponding time on the next school day. The student may be sent to a restorative space in order to reregulate their behavior. This might include the need for a PPS person to facilitate both the regulation process and the process to return to the classroom. If the student requires extensive time out of the classroom, each building must determine how the student will access continued educational programming.

- In all instances, on the same day as the removal occurs, the teacher must provide the school principal with an explanation of the reason for the student's removal and when the teacher discussed or will discuss the removal with the student.

- The principal or a school building administrator designated by the principal must notify the student's parent/guardian of the removal within 24 hours of the removal, unless the 24 hours does not end on a school day, then the time for the notification shall extend to the corresponding time on the next school day. This notice must explain the reason(s) for the removal and inform the parent/guardian of their right to request to meet informally with the principal (or the principal's designee) to discuss the reasons for the removal. The principal may require the teacher who removed the student to attend this meeting. Whenever possible, the parent/guardian should be notified by telephone of the removal. If at the informal meeting the student denies the disruptive behavior, the principal must explain why the student was removed and give the student and/or the student's parent/guardian a chance to present their version of the relevant events. This meeting must be held within 48 hours of the student's removal unless extended by mutual consent of the parent/guardian and principal or unless the 48 hours does not end on a school day, then this time period is extended to the corresponding time on the second school day next following the student's removal.

The principal (or principal's designee) may overturn the removal of a student from class at any point between receiving notice of the removal from the teacher and the close of business on the school day next succeeding the end of the 48 hour time period for the informal meeting, for the following reasons:

- The student's behavior documented in the notice of removal does not rise to the level of making the learning environment unsafe or inaccessible to others or substantially interfering with the teacher's authority over the class.
- The principal finds the teacher's description of the student's behavior is not supported by substantial evidence.
- The reason for the student's removal is otherwise in violation of law or the student's behavior warrants a suspension from school under the district's Code of Conduct and a suspension will be imposed by the principal.

No students will be permitted to return to the classroom from which they were removed until the principal (or principal's designee) makes a final determination, or the period of removal expires, whichever occurs first. Prior to reentry into the classroom restorative practices may be utilized to repair the relationship between the student and the teacher.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from class until that teacher has verified with the principal/director

(or designee) or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under State or Federal laws or regulations.

- **Administrative Behavior Contract.** A student may be placed on a behavior contract at the discretion of the principal/director (or designee), with adherence to the Code of Conduct. During the period length of the contract a student must adhere to specific behavioral expectations that are agreed upon and spelled out in the contract signed by the administrator, the student, and the parent/guardian. A contract is typically utilized in combination with other administrative disciplinary actions. The contract has a duration (e.g., the rest of the school year, the end of the semester) that is clearly spelled out as are the consequences for breaching the contract. A Behavior Contract can occur separately from a suspension or as one of the disciplinary consequences as part of a suspension.

- **Central Office Review.** A Central Office Review is a meeting involving the Superintendent (or designee), the parent/guardian, the student and representatives of the school which may include building administrators, Pupil Services staff and teachers. The Central Office Review is intended to be both a warning and a "problem solving" procedure by which all involved parties strive to develop a plan to avoid more serious disciplinary action. It is designed to address, in a non-punitive fashion, the needs of students whose behaviors in school demonstrate a serious pattern of disruption. One result of a Central Office Review could be the reassignment of the student to an alternate educational program if the parent/guardian is agreeable. If the Central Office Review does not result in a positive outcome, the district reserves the right to refer the matter for a Superintendent's Hearing.

- **Suspension from transportation.** If a student does not follow the safety rules on the bus which compromises the safety of themselves or others, the bus driver is expected to bring such misconduct to the attention of the principal/director (or designee). Students whose behavior continues to put themselves and others at risk may have their riding privileges suspended. In such cases, the student's parent/guardian will become responsible for seeing that the child gets to and from school safely.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law. The principal or Superintendent will notify the parent/guardian of the consequence and the student and the student's parent/guardian will be provided with a reasonable opportunity for an informal conference with the principal/director (or designee) to discuss the conduct and the recommended consequence.

- **Suspension from athletic participation, social or extracurricular activities, or other privileges such as field trips and access to computers, computer network and internet.** A student subjected to a suspension from athletic participation, social or extracurricular activities, or of other privileges, such as the use of computers, the district's computer network, and/or the district's internet service, is not entitled to a full hearing pursuant to Education Law. The student's loss of computer and internet access should only be implemented as a natural consequence of the district's acceptable use policy.

  The building administration will notify the parent/guardian of the consequence implemented, and the student and the student's parent/guardian will be provided with a reasonable opportunity for an informal conference with the principal/director (or designee) to discuss the conduct and the consequence implemented.

- **In-school suspension.** A student is placed in an alternate setting within their school building for a full day (or part of a day) and provided with instruction. A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law.

  A building administrator will notify the parent/guardian of the consequence implemented, and the student and the student's parent/guardian will be provided with a reasonable opportunity for an informal conference with the principal/director (or designee) to discuss the conduct and the consequence implemented.

- **Short-term out-of-school suspension (five days or less).** When the Superintendent or principal proposes to suspend a student, the student must be immediately notified. If the student denies the misconduct, the administrator must provide an explanation of the basis for the proposed suspension. The administrator must also notify the student's parent/guardian in writing (by personal delivery or other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision) that the student is being suspended from school. Whenever possible, the parent/guardian should be notified by telephone.

  The notice will provide a description of the infraction and the incident for which suspension is proposed. It also will inform the parent/guardian of the right to request an immediate informal conference with the principal. Both the notice and the informal conference shall be in the native language or mode of communication used by the parent/guardian.

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

After the conference, the principal may promptly advise the parent/guardian of their decision. The principal may advise the parent 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 good cause for the delay in doing so.

The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parent/guardian is not satisfied with the Superintendent's decision, they may file a written appeal to the Board of Education with the district clerk within 30 business days of the date of the Superintendent's decision unless the parent/guardian can show good cause for the delay in filing the appeal. The Board of Education will make its decision based upon the written appeal, the Superintendent's decision and any documentation referenced in the Superintendent's decision or relating to the out-of-school suspension at issue (including but not limited to the student's disciplinary file, the Principal's notice of infraction of Code of Conduct. There will be no oral argument before the Board of Education concerning the appeal. The Board of Education may adopt in whole or in part the decision of the Superintendent. Only final decisions of the Board of Education may be appealed to the State Commissioner of Education within 30 days of the decision.

- **Central Office Review.** A Central Office Review is a meeting involving the Superintendent (or designee), the parent/guardian, the student and representatives of the school which may include building administrators, Pupil Services staff and teachers. The Central Office Review is intended to be both a warning and a "problem solving" procedure by which all involved parties strive to develop a plan to avoid more serious disciplinary action. It is designed to address, in a non-punitive fashion, the needs of students whose behaviors in school demonstrate a serious pattern of disruption. One result of a Central Office Review could be the reassignment of the student to an alternate educational program if the parent/guardian is agreeable. If the Central Office Review does not result in a positive outcome, the district reserves the right to refer the matter for a Superintendent's Hearing.

- **Long-term out-of-school suspension (more than five days).** When the Superintendent or principal determines that a suspension for more than five days may be warranted, they shall give reasonable notice to the student and the student's parent/guardian of their right to a fair hearing called a Superintendent's Hearing. A hearing officer may be designated by the Superintendent to conduct the hearing and to make a recommendation to the Superintendent as to whether the student engaged in the behavior for which the further suspension is proposed and the appropriate measure of discipline for behavior in which the student engaged.

  The student who is the subject of the hearing has the right to be represented by legal counsel, the right to question witnesses and offer evidence on their behalf. The hearing officer is authorized to administer oaths and to issue subpoenas in

conjunction with the proceeding. 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 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 by the parent/guardian to the Board of Education in writing and submitted to the district clerk within 30 business days of the date of the Superintendent's decision, unless the parent/guardian can show good cause for the delay in filing the appeal. The Board of Education will make its decision based solely upon the written appeal, the Superintendent's decision and the record developed before the Superintendent or his designated hearing officer (which record includes but is not limited to the testimony provided at the hearing and the documents admitted into evidence at the hearing). There will be no oral argument before the Board of Education concerning the appeal. The Board of Education may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board of Education may be appealed to the Commissioner of Education within 30 days of the decision.

- **Permanent suspension from school.** This consequence is implemented as a result of a Superintendent's Hearing. It is reserved for extraordinary circumstances such as those 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 on school property or attending a school function.

Alternate Instruction.
When a student of any age is removed from class, or a student of compulsory attendance age is suspended from school pursuant to Education Law, the district will take immediate steps to provide alternate means of instruction for the student.

Minimum Periods of Suspension
The minimum periods of suspension for infractions of the Code of Conduct are:

- **Students who are repeatedly substantially disruptive of the educational process or who repeatedly impede classroom instruction may be subject to suspension from school for a minimum of three days.** For the purposes of this Code of Conduct, "repeatedly substantially disruptive" means engaging in conduct that does not meet Expectation 1 (listed on pages 12-13) on four or more occasions during a semester. The student and the student's parent/guardian will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension (described previously on pages 26-27). Prior to or in lieu of suspension, schools have the option of providing access to restorative practices.

The Principal or Superintendent has the authority to modify the minimum three-day suspension on a case-by-case basis. In deciding whether to modify the minimum suspension period, the Superintendent may consider the student's age, grade in school, and circumstances surrounding both prior and current discipline issues. The Superintendent's belief that other forms of discipline may be more effective, input from parents/guardians, teachers, and/or others, and other extenuating circumstances may also be taken into account.

A student with a disability may be suspended under this provision in accordance with the requirements of State and Federal law.

- **Students who commit violent, unlawful, or other serious acts that violate the Code of Conduct shall be subject to suspension from school for a minimum of five days.** For the purposes of this Code of Conduct, "violent, unlawful, or other serious acts" means engaging in conduct that does not meet Expectation 2 or Expectation 3 (listed on pages 13-17). The student and the student's parent/guardian will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension (described previously on pages 26-27).

  The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the minimum suspension period, the Superintendent may consider the student's age, grade in school, and circumstances surrounding both prior and current discipline issues. The Superintendent's belief that other forms of discipline may be more effective, input from parents/guardians, teachers, and/or others, and other extenuating circumstances may also be taken into account.

  A student with a disability may be suspended under this provision in accordance with the requirements of State and Federal law.

- **Students who bring a weapon to school as defined under the federal Gun-Free Schools Act of 1994 shall be suspended for a minimum of one calendar year.** Before being suspended for a year the student and the student's parent/guardian will be given the same notice and opportunity for a Superintendent's Hearing as given to all students subject to a long-term suspension (described previously on pages 27-28).

  The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the minimum suspension period, the Superintendent may consider the student's age, grade in school, and circumstances surrounding both prior and current discipline issues. The Superintendent's belief that other forms of discipline may be more effective, input from parents/guardians, teachers, and/or others, and other extenuating circumstances may also be taken into account.

A student with a disability may be suspended under this provision in accordance with the requirements of State and Federal law.

The White Plains Police Department will be notified as warranted under the circumstances.

VII. Discipline of Students with Disabilities

It is recognized that it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address disruptive, violent, or other inappropriate behavior. Furthermore, it is important to note that students with disabilities are entitled to certain additional procedures whenever school authorities intend to implement a disciplinary change in placement. This Code of Conduct affords these students who are subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable Federal and State law and regulations.

Interim Alternative Educational Setting.
When the conduct of a student with disabilities is determined to violate the Code of Conduct and to be caused by or have a direct and substantial relationship to the student's disability or was the direct result of the district's failure to implement the student's individualized education program, the Superintendent has the authority to suspend or remove students with disabilities to interim alternative educational settings (located within or outside of the district) for a period of up to 45 days for offenses relating to:

- illegal drugs
- controlled substances
- weapons
- or offenses that inflicted serious bodily injury upon another person.

The Superintendent may order the placement of a student with a disability in an interim setting if the student carries or possesses a weapon at school, on the school bus, or at a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function or the student's conduct causes serious bodily injury to another person while at school or a school function. In instances when school personnel determine that it is dangerous for a student with a disability to remain in their current educational placement, school officials can request an expedited impartial due process hearing to remove the student to an interim setting. When the conduct of a student with disabilities is found to violate the Code of Conduct but is not determined to be caused by or have a direct and substantial relationship to the student's disability or was not the direct result of the district's failure to implement the student's individualized

education program, school officials may implement the same consequences that would be implemented if the student was not a student with a disability.

Disciplinary Change of Placement.
A disciplinary change of placement is a suspension or removal of a student with a disability from their educational placement for more than ten consecutive days, or for a period that adds up to more than ten cumulative school days in a given school year considering 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. A determination of whether there is a relationship between the student's disability and the behavior that is subject to the disciplinary action must be made by the Committee on Special Education when school officials seek to implement a suspension or removal that constitutes a disciplinary change of placement. The Committee on Special Education is not required to make this determination for suspensions or removals of ten days or less in the school year.

Committee on Special Education.
The procedures relating to the discipline of students with disabilities require school personnel with authority to suspend or remove students to work closely with the Committee on Special Education to ensure clear communication and decision making on disciplinary matters. The district's Committee on Special Education has responsibilities to determine whether there is a relationship between the student's disability and the behavior that is subject to the disciplinary action, to conduct behavioral assessments, as well as to develop or review behavioral intervention plans whenever suspending or removing a student with a disability for more than 10 school days in a given school year.

VIII. Corporal Punishment/Aversive Intervention

Corporal punishment and aversive interventions of any student by any school personnel is strictly forbidden.

Aversive intervention. An intervention that is intended to induce pain or discomfort for the purpose of eliminating or reducing student behavior, including such interventions as:

- contingent application of noxious, painful, intrusive stimuli or activities, such as strangling, shoving, and deep muscle squeezes;
- any form of noxious, painful or intrusive spray, inhalant or tastes;
- contingent food programs that include the denial or delay of the provision of meals or intentionally altering staple food or drink in order to make it distasteful;
- movement limitation used as a punishment, including but not limited to helmets and mechanical restraints; or
- other stimuli or actions similar to the interventions described in this paragraph.

Aversive interventions do not include such interventions as voice control, limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar interventions.

Corporal punishment. Any act of physical force upon a student for the purpose of punishing that student. The term does not include the use of physical restraints to protect the student, another student, teacher or any other person from physical injury when alternative procedures and methods not involving the use physical restraint cannot reasonably be employed to achieve these purposes.

Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Physical restraint does not include a physical escort or brief physical contact and/or redirection to promote student safety, calm or comfort a student, prompt or guide a student when teaching a skill or assisting a student in completing a task, or for other similar purposes.

In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed, the prohibition against corporal punishment and aversive interventions does not bar the use of reasonable physical force to:

- Protect oneself, another student, teacher, or any person from physical injury.
- escort a student by a temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of walking to a safe location.
- Any complaint about the use of corporal punishment or aversive interventions shall be reported to the principal. The complaint will be communicated immediately to the Superintendent (or designee) who shall investigate the complaint to determine whether an incident actually took place and, if so, shall determine the appropriate response and advise all affected parties. Results of this investigation will be forwarded to the Superintendent. If the complainant or reporter is dissatisfied with the resolution of the complaint at that stage, an appeal can be made to the Superintendent. If still dissatisfied, further appeal can be made, in writing, to the White Plains City School District Board of Education. The district shall file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's Regulations.

Inappropriate Punishment.
While several other forms of inappropriate punishment directed toward a student are not defined as corporal punishment (e.g., verbal abuse and public humiliation), they will not be tolerated. It is understood that any act of punishment toward a given

student must be carried out by school personnel in a manner that is respectful and dignified.

IX. Student Searches and Interrogations

Any principal/director (or designee) authorized to implement a disciplinary consequence on a student may question a student about an alleged violation of law, or any provision in the district's Code of Conduct. Students are not entitled to any sort of due process type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student.

Before searching a student or the student's belongings, the authorized school official will ask the student whether they possess the suspected items or will voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

The Board of Education authorizes the Superintendent and building administrators to conduct searches of students and their belongings, when necessary, if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct. District security officials are authorized to conduct searches of students and their belongings only in cases of imminent danger.

Whenever possible, searches will be conducted in the privacy of administrative offices and students will be present whenever their possessions are being searched. The district will also make every effort to have another school employee present for all searches to serve as a witness. The authorized school official conducting the search is responsible for recording pertinent information about the search.

A. Student lockers, desks and other school storage places

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

B. District computers, computer network system, and internet access

Users of the district's computer network, including but not limited students and/or school personnel, shall have no reasonable expectation of privacy in electronic mail, documents created or stored on district computers or other technology equipment or in their use of the internet. The district may monitor, access and/or view any emails,

files or materials created using, stored in or transmitted through the district's computer network or the district's equipment (such as computers, iPads, PDAs, Chromebooks or the like), or any records or information concerning a user's internet access (such as websites accessed, etc.), without prior notice to users of the district's computer network (including but not limited to students) and without their consent.

C. Strip searches

Under this Code of Conduct, school personnel are not allowed to conduct a strip search (defined as a search that requires a student to remove any or all of their clothing, other than footwear or an outer garment such as a coat, jacket, or sweater).

D. Police involvement in searches and interrogations of students

Police officials have authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work in accordance with New York State and Federal Law. Where possible, police will confer with school officials before exercising such authority. Except in an emergency, police officials will not question or search any student on school grounds without the permission of the parents/guardians.

E. Child Protective Services Investigations

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 principal/director (or designee). The administrator shall set the time and place of the interview and 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.

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 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, the worker may remove the student without a court order and without the parent's/guardian's consent. Notice must be given by the worker to the principal/director (or designee) who in turn would immediately advise central administration of the situation.

X. Public Conduct on School Property

A. Visitors/Parents/Guardians

The Board of Education welcomes and encourages the community to visit the district's schools and classrooms to observe the work of students, teachers, and other staff. Since schools are places of work and learning, however, certain limits must be set for such visits. The principal/director (or designee) is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors in the schools:

- All visitors to a school must report to the main office or visitor's registration desk upon arrival at the school.
- All visitors will be required to sign a visitor's register and will be issued a visitor's identification badge which must be worn at all times while in the school or on school grounds. If it is not a disposable badge, it must be returned to the office before leaving the building.
- Visitors who attend school functions that are open to the public, such as PTA meetings, athletic events, or special events, are not required to register.
- Parents/guardians who wish to observe their child's classroom while school is in session are required to arrange such visits in advance with the classroom teacher so that class disruption is kept to a minimum. (Teachers cannot use class time to discuss individual matters with visitors.)
- Other community members who wish to tour our schools must call the district's Family Information Center to set up an appointment.

B. Public conduct

For purposes of this section of the Code of Conduct, "public" shall mean all persons when on school property or attending school functions, including but not limited to school personnel, parents/guardians and visitors.

The restrictions on public conduct on school property and at school functions contained in this Code of Conduct 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. However, the purpose of this Code of Conduct is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function must conduct themselves in a respectful and orderly manner.

No person alone or with others shall:

- Engage in threatening, potentially dangerous, or unlawful behavior (including gambling).
- Intentionally damage or destroy school district or personal property, including graffiti or arson.
- Engage in any behavior that is disruptive to the orderly operation of classes, school programs, or other school activities.
- Violate the traffic laws, parking regulations, or other restrictions on vehicles.
- Intimidate or harass others.
- Discriminate against any person on the basis of actual or perceived race, color, creed, national origin, religion, age, gender, sex, sexual orientation, medical condition, weight, religious practice, ethnic group or disability.
- Refuse to comply with reasonable orders of identifiable safety authorities (including security staff and traffic crossing guards) in the performance of their duties.
- Smoke.
- Possess, consume, or sell alcoholic beverages, cannabis/marijuana or illegal substances.

C. Consequences

Persons who fail to adhere to this Code of Conduct shall be subject to the following consequences:

- *Visitors* will have their authorization, if any, to remain on school grounds or at the school function withdrawn, and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection. The police may be called if the situation warrants.
- *Students* shall be subject to disciplinary action in accordance with this Code of Conduct and in accordance with State and Federal law.
- *Certified faculty members* shall be subject to disciplinary action as the facts may warrant in accordance with Education Law and the current collective bargaining agreement.
- *Classified civil service staff members* shall be subject to disciplinary action as the facts may warrant in accordance with Civil Service Law and the current collective bargaining agreement.
- *Staff members*, other than those described above, shall be subject to a warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they may have.

In addition, the district reserves its right to pursue civil or criminal action against any person who fails to adhere to the Code of Conduct.

XI. Dissemination and Review

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

- A summary of the Code of Conduct will be provided to all students, in an age-appropriate version, written in plain-language, at a general assembly held at the beginning of each school year.
- A summary of the Code of Conduct, written in plain language, will be mailed to the parents/guardians of all district students before the beginning of the school year.
- The full Code of Conduct is available on the District's website and will be available upon request. A summary of the Code of Conduct, written in plain language, will also be available upon request. As with all district documents, it will be translated into Spanish.
- All current teachers and other staff members will be provided with a copy of the Code of Conduct and a copy of any amendments to the Code of Conduct as soon as practicable after adoption.
- All new employees will be provided with a copy of the current Code of Conduct when they are first hired.
- Copies of the Code of Conduct will be made available for review by students, parents/guardians, and other community members throughout the school year.

The Board of Education will collaboratively sponsor an in-service education program for all district staff members to ensure the effective implementation of Project SAVE legislation, the Dignity for All Students Act and the Code of Conduct. The purpose of this in-service education is to promote a safe and supportive school climate while discouraging, among other things, discrimination and/or harassment against students and/or school employees and to guide school personnel on the inclusion of safe and supportive school climate concepts in the curriculum and classroom management. The Superintendent of Schools 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 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 of

Conduct's provisions have been and whether the Code of Conduct has been applied fairly and consistently. The Board will consult with the school community and other interested parties about changes and amendments.

Before adopting any revisions to the Code of Conduct, the Board of Education will hold at least one public hearing at which school personnel, parents/guardians, students and any other interested party may participate. The Code of Conduct and any amendments to it will be filed with the Commissioner of Education no later than 30 days after adoption.

Revised: July 1, 2025