

CALEDONIA- MUMFORD
CENTRAL SCHOOL DISTRICT



2026-2027

CODE OF CONDUCT

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SECURITY NOTICE

For the security and safety of our students, staff and visitors, this facility employs video surveillance equipment for security purposes. This equipment may or may not be monitored at any time.

Caledonia-Mumford Central School District

District – Wide Code of Conduct

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. Every member of the school community is expected to work together to modify behaviors that interfere with the learning process.

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”). Our approach to managing student behavior emphasizes teaching students to behave in ways that contribute to academic achievement, school success and post-secondary success. Our intent is to support a school environment where students and school staff are responsible and respectful. We also emphasize the need for school staff to promote appropriate behaviors by teaching, modeling, reinforcing, and monitoring appropriate behaviors. We recognize that effective school discipline is anchored to meaningful, corrective instruction and guidance that offers students an opportunity to learn from their mistakes, make amends, and contribute to the school community. Ongoing monitoring and documentation of student management data is essential to record and adjust disciplinary practices in a fair and non-discriminatory manner.

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. Definition for Strengthening Understanding Within This Code

For purposes of this code, the following definitions apply:

-Academic Misconduct: means any act that undermines the academic integrity of a student’s education, including, but not limited to, plagiarism; cheating; copying; altering or falsifying records; manipulation or misuse of any District academic electronic systems; accessing other users’ email accounts or network storage accounts; attempting to read, delete, copy, modify, or interfere with transferring or receiving electronic communications; defacing or damaging District materials, documents, or other work products; copyright law violations; other violations of the Acceptable Use Policy; and assisting another student in any of the above actions.

-Behavior Management System: means a process or system of consequences for behavior that is developed and monitored by staff in a particular building or program which is used by staff and students in order to monitor and improve student behaviors.

-Building Administrator: means a certified administrator who is responsible for the supervision and management of a District site.

-Bullying/Harassment: for the purposes of prohibited conduct, means any verbal or physical action, communication, threats, intimidation, or abuse, including cyberbullying, that: (1) has or would have the

effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional, or physical wellbeing; (2) reasonably causes or would reasonably be expected to cause a student to fear for their physical safety; (3) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (4) occurs off District property and creates or would foreseeably create a risk of substantial disruption within the school environment, or where it is foreseeable that the conduct, threats, intimidation, or abuse might reach District property.

- **Color:** means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

-**Computer/Electronic Communications Misuse:** means any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites or materials; evading the District's content filter; or any other violation of the District's Acceptable Use Policy.

-**Consequence:** the results of a previous action that breaks the rules. Those responsible for administering a consequence take into account, the behavior, the situation, the individual involved, and the best means for helping that individual.

-**Controlled Substance:** means a controlled substance in schedules I through V of the Controlled Substances Act.

-**Contraband:** Defined as alcohol, drugs and devices to include, but not limited to, the following: tobacco, tobacco products, prescription drugs, illegal drugs, controlled substances, synthetic or designer drugs, or any drug delivery systems such as cigarettes, e-cigarettes (vapes) or any e-cigarette/vape hardware including but not limited to the battery, tank, heating element, accessories or the vape juice, or any device or paraphernalia that could be used to store, conceal, inject, inhale, or consume any type of prescription drug, illegal drug, controlled substance, or synthetic or designer drug or substance.

- **Committee on Special Education (CSE):** means the Committee on Special Education, subcommittee on special education, or other multidisciplinary team.

-**Cyberbullying:** means bullying or harassment that occurs through any form of electronic communication or method.

-**Dangerous Instrument:** Any object that, as used or threatened to be used, is capable of causing physical injury. This includes everyday objects used in a harmful manner. The definition focuses on how an object is used rather than the object itself.

-**Detention:** means any lunch, after-school, or other penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.

-**Dignity for All Students Act (DASA):** Refers to Article 2 of the New York State Education Law, as well as amendments to Sections 801-a and 2801 New York State Education Law made pursuant to Chapter 482 of the Laws of 2010. For purposes of this Code of Conduct, it will also refer to subsequent amendments to those statutes, and to any and all regulations promulgated by the Commissioner of Education to achieve the aims set forth in Chapter 482 of the Laws of 2010. The intent of the Dignity Act is to provide all public elementary and secondary school students with a safe and supportive environment free from discrimination, harassment, bullying, taunting or intimidation, as well as to foster civility in public schools. School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender

identity or sex by school employees or students on school property, on a school bus, or at a school function.

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

-GV Definition of Disability: means (1) a physical, mental, or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques; or (2) a record of such an impairment; or (3) a condition regarded by others as such an impairment.

-Disciplinary Change in Placement: means a suspension or removal of a student with a disability from their current educational placement that is either for more than ten consecutive school days, or for a period of ten 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 ten school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspension or removals to one another.

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

-Disruptive Student: means a student who is substantially disruptive of the educational process or substantially interferes with an employee's authority over the educational environment.

-Disruptive student behavior: behavior from an elementary or secondary student under the age of 21, or an adult student enrolled in a program, who substantially disturbs or distracts from the educational process or interferes with the teacher's ability to manage and teach students. Behaviors that interfere with school operations or learning. Examples include but are not limited to: repeated classroom interruptions, unsafe hallway conduct, cafeteria disturbances, bus misconduct, and inappropriate behavior during assemblies. Repeated minor disruptions may lead to administrative consequences.

-Electronic Device: means all internet-enabled and non-internet enabled devices, including, but not limited to, any cellphone, tablet, computer, laptop, smartboard, smartwatch, gaming console, or other electronic device used for communication, search engines, applications, games, or other electronic purposes.

-Emotional harm: takes place in the context of harassment or bullying ~~meaning harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as~~

~~to unreasonably and substantially interfere with a student's education and means harm to a student's emotional well-being through creation of a hostile or toxic school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.~~

- **Employee:** means any person receiving compensation from ~~a school district or employee of a contracted service provider~~ **the District not considered to be an independent contractor** or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to ~~such district,~~ **the District,** its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (~~Education Law Section s11[4] and 1125[3]~~).
- **Ethnic Group:** means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.
- **Fair:** Doing what is reasonable and in the best interest of the individual and/or group.
- **Firearm:** means 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; the frame or receiver of such weapon; any firearm muffler or silencer; or any "destructive device" (e.g., any explosive, incendiary, or poison gas, including bombs, grenades, rockets, or other similar devices).
- **Gender:** ~~A social construct used to classify a person as a man, woman, or some other identity. Fundamentally different from the sex one is assigned at birth; a set of social, psychological and emotional traits, often influenced by societal expectations~~ **means actual or perceived sex and includes a person's gender identity or expression.**
- **Gender Identity or Expression:** ~~How one expresses oneself, in terms of dress, mannerisms and/or behaviors that society characterizes as "masculine" or "feminine" or "non-binary"~~ **means a person's actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristic regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender.**
- **Harassment:** means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law Section 11[7]).
- **Hazing:** means any act that recklessly or intentionally endangers the mental health, physical health, or safety of a student which is performed as a condition of attaining/maintaining membership in any group, including, but not limited to, (1) forced consumption of food, illegal substances, or other substances; (2) forced exposure to the elements; (3) activities intended to degrade, humiliate, embarrass, or shame; (4) physical brutality/assault; (6) assignment of "pranks" or "impractical jokes" to be performed; (7) forced calisthenics or other forced physical activity that could adversely affect the physical well-being or safety of the individual; (8) social isolation; (9) personal servitude; (10) sleep deprivation/restrictions on personal hygiene; (11) nudity; (12) kidnapping; (13) binge drinking and drinking games; (14) verbal

abuse such as swearing or insulting an individual; (15) forced to wear embarrassing or humiliating attire in public (16) forced to engage in destructive and/or criminal acts such as vandalism, stealing and cheating; and (17) restraining an individual against their will.

- **Illegal Substance:** 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. Illegal substances also include, but are not limited to, inhalants, marijuana (including any other marijuana-based product or derivative, whether natural or synthetic), synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike substances, and any other synthetic or designer drugs. While marijuana is a controlled substance under federal law, it has been legalized by New York State for adult use under certain circumstances. However, it is illegal for anyone under the age of 21 to purchase, possess, or use adult-use cannabis. Regardless of age, the sale, purchase, possession, and/or use of cannabis is prohibited on District property under state and federal laws and/or District policy. Illegal substances also include any counterfeit, synthetic, and designer drugs, as well as paraphernalia for use of these drugs, including, but not limited to, dab pens, cartridges, vapes, pipes, clips, rolling papers, and any other device or instrument that on its face is used for the production, packaging, distribution, or ingesting of controlled or illegal substances.
- **Long-Term Suspension:** means a suspension of more than five consecutive school days.
- **Manifestation Determination:** means a review of the relationship between the student's disability and the behavior subject to disciplinary action that is conducted by the Manifestation Team or the Committee on Special Education (CSE).
- **National Origin:** means a person's country of birth or ancestor's country of birth.
- **Non-Violent Crisis Intervention:** means those techniques that enable staff to maintain control in an unlimited number of crisis situations through calm, confident actions that help staff defuse the disruptive student and reduce the chance for physical injury to all who are present. In non-violent crisis intervention, the emphasis is always on the staff's primary responsibility - the care, welfare, safety, and security of students and staff. Physical restraint is only used when all verbal techniques have been exhausted and the individual's actions are escalating toward physical aggression. Any physical control that is implemented will be used in a way to control and protect students.
- **Parent:** means ~~parent~~ biological, adoptive, or foster parent, guardian or person in parental relation to a student.
- **Plagiarism:** means the use or close imitation of the language and ideas of another author and representation of them as one's own original work. This includes copying from electronic sources, even with minor alterations.
- **Property Damage:** means physical harm or destruction to property by acts that are intentional or negligent, which include, but are not limited, vandalism, graffiti, arson, or other means.
- **Race:** means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Biracial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.
- **Religion:** means specific fundamental beliefs and practices generally agreed to by large numbers of the

group or a body of persons adhering to a particular set of beliefs and practices.

- **Religious Practice:** means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.
- **Retaliation:** occurs when any employee, student, or visitor mistreats any person because he/she reported in good faith, testified about, or otherwise assisted in an investigation, proceeding, or hearing related to alleged violations of the law, Code of Conduct, or District policies. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment and may be redressed through application of the same reporting, investigation, and enforcement procedures for harassment.
- **School:** means, unless otherwise designated, the location of a District program or service.
- **School Bus:** means every motor vehicle owned and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law Section 11[1] and Vehicle and Traffic Law Section 142).
- **School/District Function:** means any school or District-sponsored extracurricular event or activity, whether located on or off school property.
- **School/District Property or Grounds:** 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~~, any District school or program, or in or on a school bus/**district owned vehicle**, as defined in Vehicle and Traffic Law §142. School property for purposes of this Code of Conduct also means any class or instruction outside of the boundaries of the school but which constitutes a part of the student's educational program in the District, including, but not limited to alternative instruction at a Board of Cooperative Educational Services ("BOCES") facility or program, work training, community training, work study, or internship. School property can also mean any furniture, equipment, educational supplies or other non-fixed personal property owned by the District.
- **School/District Parking Lot, Roadway, and Walkway Violations:** means speeding, reckless driving, unauthorized parking, failure to have a valid parking sticker, unauthorized transportation of other students, endangering pedestrians, failure to follow the directions of the parking lot supervisors, skateboarding, rollerblading, and any other act that violates the New York State Vehicle & Traffic Law or otherwise creates unsafe conditions for drivers and pedestrians.
- **Sex:** means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)

Sexual Harassment: of students is a form of sex discrimination and is unlawful and prohibited by District. Generally, it can include harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment can also consist of subjecting an individual to unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex. Sexual harassment can occur between any individuals, regardless of their sex or gender. There are two main types of sexual harassment: (1) hostile environment and (2) quid pro quo harassment. Behaviors that contribute to a hostile environment include, but are not limited to, words, signs, jokes, pranks, gender role stereotyping, intimidation, or physical violence which

are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which a person finds offensive or objectionable, causes the person discomfort or humiliation, or interferes with the person's job or educational performance. Quid pro quo harassment also occurs when a person in authority tries to trade benefits for sexual favors.

Violent student: means a student under the age of 21 whom:

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

- **Violent Threat:** means communication by any means, including oral, written, or electronic where the content of such communication (1) can reasonably be interpreted as a threat to commit an act of violence on or around school property or (2) results in safety concerns and/or related material or substantial disruptions to the educational environment.

- **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, slingshot, 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 knife, device, instrument, material or substance that is used for, or readily capable of, causing physical injury or death. In addition, this code further prohibits the possession or display of any toy, facsimile or replica of a weapon. It also includes any other device, instrument, material, or substance that is capable of causing physical injury or death when used for that purpose. Examples include, but are not limited to:

- Other types of guns, including, but not limited to, BB guns, pistols, revolvers, shotguns, rifles, machine guns, disguised guns, electronic dart guns, electronic stun guns, firearm mufflers/silencers;
- Knives, including, but not limited to, hunting knives, folding knives, pocketknives, fixed blade knives, kitchen knives, switchblade knives, pilum ballistic knives, metal knuckle knives, box cutters, razors, cane swords, daggers, machetes, stilettos, shurikens, throwing stars;
- Blunt force weapons, including, but not limited to, billies, blackjacks, bludgeons, plastic/brass/metal knuckles, chuka sticks, sandbags, sandclubs, wrist-brace type slingshots or slungshots, metal pipes;
- Explosive/incendiary or chemical weapons or substance that can cause physical injury or death when used as a weapon. Any "look-alikes," fake toy weapons are considered a weapon for purposes of this definition.

- **Weight:** means ~~aside from the obvious meaning in the physical sciences,~~ in addition to its ordinary meaning, includes ~~the word is used in reference to a person's appearance~~ physical size.

~~— **Sexual orientation:** An enduring emotional, romantic, or sexual attraction which includes (but is~~

not limited to) attraction to one's same sex or a combination. Sexual orientation is fluid and can include pansexuality/omnisexuality and asexuality.

~~— **Transgender:** Used most often as an umbrella term, some commonly held definitions: 1. Someone whose gender identity or expression does not fit (dominant group social constructs of) assigned birth sex and gender. 2. A gender outside of the man/woman binary. 3. Having no gender or multiple genders.~~

~~— **Cisgender:** Denoting or relating to a person whose sense of personal identity and gender corresponds with their birth sex.~~

- **Principles:** core values that demonstrate how individuals should conduct themselves and relate to each other. They encompass a set of beliefs which provide the reasons for the rules and the motivation for following them.

- **Physical Injury / Assault:** Conduct that causes or attempts to cause physical harm, including minor contact (e.g., pushing/shoving without injury) through more serious contact that causes pain or injury. In determining consequences, administrators shall consider age, intent, and severity of harm.

Types of Responses to Behavior in Violation of the Code of Conduct:

- **Restitution:** the individual makes right what they did wrong. This is logically related to the behavior.

- **Conventional Consequences:** commonly used in practice (i.e. time-out, removal from a classroom, suspension etc).

- **Generic Consequences:** include reminders, warnings, choice options, and/or behavior plans brought into play when there is misbehavior.

- **Instructional Consequences:** teach and/or revisit the prosocial skills necessary for an individual to behave or respond in accordance with the Principles and Rules of the school.

III. Dignity for All Act

The intent of the Dignity for All Students Act (DASA) is to provide all public school students with an environment free from discrimination and harassment, as well as to foster civility in public schools.

The Dignity Act expands the concepts of tolerance, respect for others and dignity to include: an awareness and sensitivity in the relations of people, including but not limited to, different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, gender identity, and sexes. Each building must have a compliance officer to review and investigate issues that involve this new law.

If you feel you, or your child, are being bullied, harassed or discriminated against by anyone, or if you feel this is happening to someone else, please report it to one of the Coordinators immediately. The Coordinator will investigate, and will take action to address the situation.

If you would like a copy of our Dignity for all Students Policies, please ask any of the Dignity Act Coordinators or refer to our website, www.cal-mum.org, Board of Education Policy 7550-7553.

The Building Principals will be serving as the Dignity Act Coordinators in each of their buildings:
 Elementary School – Michele Meyer - 538-3481 - mmeyer@cal-mum.org
 Middle/High School Principal – Morgan Marcello - 538–3483 – mmarcello@cal-mum.org

If at any time, you have a question or concern around the Dignity for All Act, please feel free to contact the above Dignity Act Coordinators.

IV. Student Rights and Responsibilities With every right comes a responsibility.

It is the student's right:

It is the student's responsibility:

1)	To attend school in the district in which one's parent or legal guardian resides.	→	To attend school daily, regularly and on time, perform assignments, and strive to do the highest quality work possible and be granted the opportunity to receive a good education.
2)	To expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly.	→	To be aware of all rules and expectations regulating student's behavior and conduct oneself in accordance with these guidelines.
3)	To be respected as an individual.	→	To respect one another and to treat others in the manner that one would want to be treated.
4)	To express one's opinions verbally or in writing.	→	To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict, the rights and privileges of others.
5)	To dress in such a way as to express one's personality.	→	To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting.
6)	To be afforded equal and appropriate educational opportunities.	→	To work with teachers (counselors and parents) through role playing, modeling and practice to develop stronger pro-social skills (i.e. dealing with anger, recognizing the feelings of others, recognizing your own feelings, dealing with frustration, identifying a problem, problem solving skills, making a good decision, etc).

7)	To take part in all school activities on an equal basis regardless of race, color, creed, religion, religious practice, sex, sexual orientation, gender, Gender identity, national origin, ethnic group, political affiliation, age, marital status, or disability.	→	To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others.
8)	To have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems.	→	To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate.
9)	To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender, gender identity, sexual orientation, or disability, or any other categories of individuals protected against discrimination by federal, state or local law, employees or students on school property or at a school-sponsored event, function or activity.	→	To make a good faith effort to attempt to settle disagreements with respectable words, listening to others' perspectives, in the spirit of keeping an open mind and co-existing with respect, even when conflicts can not be resolved. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.
10)	Access to use of district-issued technology as a means to facilitate learning.		To respect and adhere to acceptable use guidelines for electronic devices, internet safety, and social media use. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

V. Essential Partners

A. Parents/Guardians

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. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused. (Please refer to attendance page 5).
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.

7. Know school rules and help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
8. Convey to their children a supportive attitude toward education and the District.
9. Build good relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Teach and model to their children respect and dignity for themselves, and other students and staff regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act. This includes reporting incidents that violate this climate that are witnessed or otherwise brought to a parent/guardian's attention to the building administrator and /or Dignity Act Coordinator in a timely manner.
14. Insist that their child be dressed and groomed in a manner that demonstrates the respectful, safe, responsible, and professional values of Cal-Mum. Please refer to the dress code section of this code of conduct for further explanation.

- Be safe, appropriate and not disrupt or interfere with the educational process. Not include items that could pose a safety risk to others or themselves, or interfere with accomplishing their assignments
- Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), see-through garments, excessively short skirts and short-shorts are not appropriate or permitted in a professional setting.
- Ensure that underwear is completely covered with outer clothing.
- Include footwear at all times, which may include specific requirements due to the nature of the student's programming.
- Not include items that are vulgar, obscene and libelous or that denigrate others because of race, color, religion, creed, national origin, gender, sexual orientation or disability.
- Not include items that may be perceived as representing gang affiliation, or promotion of a drug culture, drug or alcohol advertising, or sexual explicitness.

B. Teachers

All District teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all students and other staff regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a social setting, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching, knowledge of current instructional methods, and concern for student achievement and come to work prepared each day to provide the educational environment students need to learn and thrive.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. 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.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.
 7. Confront issues of harassment, bullying and/or discrimination, and any situation that threatens the emotional or physical health or safety of any students, school employees, or any person who is on school property, or at a school function, or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term “threats, intimidation or abuse” shall include verbal and nonverbal actions.
 8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
 9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
 10. Teach, model, and adhere to acceptable use for electronic devices, internet safety, and social media policies and regulations. Report incidents of misuse or abuse of technology to the appropriate supervisor.

C. School Counselors

All school counselors are expected to:

1. Maintain and encourage a climate of mutual respect and dignity for all students and other staff regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn. Report incidents that violate this climate that are witnessed or otherwise brought to a teacher's attention to the building administrator and /or Dignity Act Coordinator in a timely manner.
2. Teach and support students how to constructively manage and respond to incidents of conflict, harassment, bullying and/or discrimination including reporting such incidents, to school officials.
3. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
4. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor
5. Conferences, as necessary, as a way to resolve problems.
6. Regularly review with students their educational progress and career plans.
7. Provide information to assist students with career planning.
8. Coordinate Intervention Support Services, as needed, with student, parent, Building Principal and teachers.
9. Encourage students to benefit from the curriculum and extracurricular programs.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

D. Principals, Assistant Principals and other Administrators

All principals are expected to:

1. Maintain and encourage a climate of mutual respect and dignity for all students and staff regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
2. Confront issues of harassment, bullying and/or discrimination, in any situation that threatens the emotional or physical health or safety of any students, school employees or any person who is on school property or at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term "threats, intimidation or abuse" shall include verbal and nonverbal actions.
3. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
4. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the principal for redress of grievances.
5. Evaluate, on a regular basis the effective safety, behavioral and school management issues related to all instructional programs.
6. Support the development of, and student participation in, appropriate extracurricular activities.
7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly and, when necessary, appropriately documenting actions.
8. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).
9. Respond swiftly, fairly and efficiently to acts of any kind that threaten the safety and well being of students, staff, administration or any immediate member of the school community or their property.
10. Teach, model, and adhere to acceptable use for electronic devices, internet safety, and social media policies and regulations. Follow up on any incidents of misuse or abuse of technology.

E. Superintendent

The superintendent is expected to:

1. Maintain and encourage a climate of mutual respect and dignity for all students and staff regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
2. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
3. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
4. Inform the Board about educational trends relating to student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

F. Board of Education

The Board of Education is 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 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. Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.
4. Lead by example by conducting board meetings in a professional, respectful, courteous manner.

VI. Student Use of Electronic Communication Devices

Students are not permitted to use or carry cell phones and/or personal internet-capable devices for the duration of the school day. Students are expected to act thoughtfully and responsibly when using District/BOCES-owned technology resources-and may not use those resources to invade the privacy of others, engage in harassment, bullying, or discrimination, gain access to or transmit inappropriate materials, disrupt the learning environment and otherwise violate applicable law or District policies.

Teachers and all other district personnel should exemplify and reinforce acceptable student behavior (including possession/use of electronic devices) and help students develop an understanding of appropriate conduct in the school setting. This type of harassment is generally referred to as cyber bullying. If a student violates this prohibition, then he/she is subject to discipline under this provision and/or any other provision in the District *Code of Conduct* that may be applicable to the circumstances involved. School personnel and administration are not responsible for any devices lost or stolen.

VII. Student Dress Code

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

In addition, the following shall apply:

1. Clothing or student dress shall be safe, appropriate and not disrupt or interfere with the educational process.
2. No hoods, hats, bandanas and other headwear, including sunglasses, are allowed except for a medical or religious purpose.
3. Footwear, that does not pose a safety hazard, is required at all times.
4. Bare midriff, plunging necklines, pajamas, cropped **and/or cut off** shirts, spaghetti straps, clothing exposing undergarments or clothing worn in a suggestive manner **are prohibited**.

5. Bizarre items of attire (or “costumes”) will be banned on the basis of their disruptive effect on the learning environment.
6. Student dress shall 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. Attire shall not display or promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
8. Outerwear (including hats, coats, purses, backpacks, book bags, etc) is to be kept in student lockers during school hours.
9. Acceptable face coverings include but are not limited to cloth-based face coverings (e.g. Homemade sewn, quick cut, bandana, etc.), and surgical masks that cover both the mouth and nose. ~~Students will utilize face coverings at all times with the following exceptions:~~
 - ~~a. Individuals are physically distanced (Six (6) feet) and in a secure setting (Classroom, Office). The District will provide explicit instruction on appropriate times and locations for face covering breaks.~~
 - ~~b. Individuals have provided the District with medical documentation supporting accommodations.~~

Exceptions to the dress code may be made for apparel purchased through a school sponsored club/activity. Such exceptions must be approved by the principal in advance and must display otherwise restricted content in a way that does not detract from the club's mission.

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

Teachers and all other staff personnel should exemplify and reinforce acceptable student dress and behavior (including possession/use of electronic devices) and help students develop an understanding of appropriate appearance and conduct in the school setting.

The responsibility for the dress and appearance of students rests with individual students and their parents. Student clothing, grooming and appearance must comply with health and safety standards and must not interfere with or distract from the educational process or infringe upon the rights of others. Specifically, clothing should not be overly brief or revealing and undergarments should be covered; appropriate footwear should be worn at all times; clothing should not be perceived as being associated with gang or other unlawful behavior; and clothing should be appropriate for the student's course of instruction. The administration may take action in instances where individual dress does not meet these stated requirements.

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

VIII. Prohibited Student Conduct

Our approach to managing student behavior emphasizes teaching students to behave in ways that contribute to academic achievement, school success and post-secondary success. Our intent is to support a school environment where students and school staff are responsible and respectful. We also emphasize

the need for school staff to promote appropriate behaviors by teaching, modeling, reinforcing, and monitoring appropriate behaviors. We recognize that effective school discipline is anchored to meaningful, corrective instruction and guidance that offers students an opportunity to learn from their mistakes, make amends, and contribute to the school community. Ongoing monitoring and documentation of student management data is essential to record and adjust disciplinary practices in a fair and non-discriminatory manner.

Cal-Mum upholds expectations for conduct on school property and at school functions based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. The Board of Education recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible reactions to unacceptable conduct, and to ensure that when disciplinary action is necessary, it is administered promptly and fairly. Choices have consequences and there are times when accepting consequences for those choices is part of learning how conduct impacts the expected school culture. When possible, students are expected to make restitution, but there are times when disciplinary consequences are required to promote and uphold the principles mentioned above.

Students may be subject to disciplinary action, up to and including suspension from school or removed from a program, when they engage in conduct that is disorderly, insubordinate, disruptive, violent, and/or endanger the safety, morals, health or welfare of others.

A. Engage in conduct that violates the attendance regulations.

Regular attendance is required. Attendance records become a part of the child's permanent record and the data becomes the basis for recommendations to future employers and institutions of higher learning. The State Education Law provides that all children in proper physical and mental condition shall attend school while it is in session.

Excused Absences:

1. Sickness
2. Death in family
3. Impassable roads or weather
4. Religious observance
5. Quarantine
6. Required to be in court
7. Music lessons
8. Remedial health treatment
9. Approved cooperative work program
10. Approved college visit
11. Military obligation
12. Doctor Appointment
13. Driver's Test

Any absence due to reasons other than above is unexcused, even when accompanied by a parent note.

Some barriers to attendance could include: depression, anxiety, transportation, child care, parent work schedule, family illness or other potential household struggles. Please contact your child's school counselor so we can assist your family to problem-solve any barriers to school attendance.

B. Engage in conduct that is disorderly.

Engaging in any act which disrupts the normal operation of the school community. Examples include but are not limited to;

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive, intimidating or that incites others.
4. Congregating in the hall.
5. Obstructing vehicular or pedestrian traffic.
6. Engaging in any willful act which disrupts the normal operation of the school community (i.e., a large number of students disrupting the learning environment).
7. Using profane, vulgar or abusive language (including racial, sexual, ethnic slurs)
8. Using (or attempting to use) any electronic, communication, or recording devices (including but not limited to cameras, video cameras, tape recorders, cell phones, iPods, smartphones (i.e. iPhones and/or Android devices), web-enabled devices of any kind, tablets (i.e. iPads and similar devices), or other mobile computing devices) is prohibited unless expressly approved by a school administrator or other authorized school official.
9. Displays of affection such as kissing, hugging, hand-holding, walking with arms about one another and other such forms of behavior have no place in school and will not be allowed. Detention may be assigned and parents may be notified.
10. Food and drink: There is to be no food or drink in the hall. There is to be no food or drink consumed outside of the cafeteria. Failure to abide by such will be considered insubordination. No glass containers are permitted. When asked, as an individual or as a group, to pick up litter, whether it is yours or not, do so. Failure to do so will be considered insubordination.
11. Trespassing/Loitering. Students are to be in regularly assigned areas only. Students not in approved and supervised after-school activities must leave the building upon dismissal.
12. Misusing computer/electronic communications devices, including any unauthorized or inappropriate use of computers, software, or Internet/intranet account; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the District Acceptable Use Policy.
13. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system is prohibited.

C. Engage in conduct that is insubordinate.

Examples of insubordinate conduct include:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Truant from school.
3. Missing or leaving school without permission
4. Skipping detention. (Truant from detention)
5. Insolence towards staff members.

D. Engage in conduct that is violent.

Examples of violent conduct include:

1. Committing an act of violence (such as hitting, kicking, biting, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
2. Committing an act of violence (such as hitting, kicking, biting, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical well-being.
4. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
5. Displaying what appears to be a weapon/dangerous object.
6. Threatening to use any weapon/dangerous object.
7. Intentionally damaging or destroying 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 District property, the personal property of a student, teacher, volunteer, contractor, vendor, administrator, other District employee or any person lawfully on District property, or at a District function including but not limited to graffiti or arson.
9. Communication by any means, including oral, written or electronic (such as through the Internet, email or texting) off school property, where the content of such communication (a) can reasonably be interpreted as a threat to commit an act of violence on school property; or, (b) results in material or substantial disruption to the educational environment.

E. Engage in any conduct that endangers the safety, morals, health or welfare of others.

Examples of such conduct include:

1. 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.
 - **Physical Aggression Includes:**
 - **Minor Contact:** Pushing, shoving, tripping that does not result in injury.
 - **Serious Conduct:** Hitting, kicking, punching, or any attempt to injure another. Disciplinary response should match the severity of behavior, considering age, intent, and circumstances.
2. Lying to school personnel.
3. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
4. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.)
5. Students who create emergencies/unsafe acts will be suspended. Students who interfere with the restoration of order, or who contribute to the hostile atmosphere, will be subject to sanctions as outlined on pages 15-17. Parents and local police authorities may be notified. Such acts include, but are not limited to, situations that involve a large number of students disrupting the learning environment. In addition, there is no place in school for items such as balloons, squirt guns, objects to be thrown, incendiary objects, etc., unless specifically authorized by the office.
6. Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a

basis for treating another in a negative manner on school property or at a school function.

7. Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical threat.

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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.

8. "Internet bullying" (also referred to as "cyber bullying") including the use of instant messaging, email, websites, chat rooms, text messaging, 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.
9. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
10. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
11. Threats, which include verbal, written, electronic, or symbolic statements indicating intent to cause harm. Threats are prohibited even if the student may not realistically carry them out and include jokes, dares, and online statements.
12. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliation with or maintaining membership in any school sponsored activity, organization, club or team.
13. Selling, using or possessing obscene material.
14. Using vulgar or abusive language, cursing or swearing.
15. Smoking a cigarette, E-Cigarette, cigar, pipe or using chewing or smokeless tobacco.
16. Possessing, consuming, selling, attempting to sell, distributing or exchanging alcohol in any form, tobacco, tobacco products, electronic cigarettes/vapor (e-cigs), or illegal and/or controlled substances, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."
17. Inappropriately using or sharing prescription and/or over-the-counter drugs. Please refer to Health Office guidelines.
18. Gambling and gaming
19. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
20. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
21. Violating gender privacy when using school restroom facilities.

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, harassment, and discrimination will not be tolerated.

G. Engage in any form of academic misconduct.

Examples of academic misconduct include:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Using an application to assist you in solving a problem or to identify a correct answer

without learning the materials

5. Using other student's 1:1 devices in an inappropriate way or without their knowledge or consent.

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6. Altering records.
7. Violation of the District Acceptable Use Policy for technology.
8. Using Artificial Intelligence (AI) to generate parts or the entirety of an assignment misrepresenting one's work and abilities.
9. Assisting another student in any of the above actions.

IX. Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, school counselor, the building principal or his or her designee. Any student observing a bullying incident, hazing, harassment, a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent.

All District staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall, in turn, impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

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

School officials may contact a law enforcement agency and may assist in prosecuting the offender. Any and all confiscated chemicals and/or paraphernalia will be handed over to the law enforcement agency. If law enforcement is not needed, any and all evidence will become possession of the school district and may not be returned to the student and/or parents/guardians.

X. Disciplinary Consequences

A. Procedures and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair 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. [School administrators may determine appropriate consequences based on the specific facts and circumstances of each case, including severity, prior history, and student needs, consistent with applicable laws and policies.](#)

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. [When disciplining elementary students, administrators shall consider age, developmental level, understanding of the behavior, and intent. Discipline shall be corrective and instructional whenever possible and aligned with positive behavior supports.](#) In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age [and developmental level.](#)
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.

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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. There are violations of the code that are more serious in nature than others. The severity of an infraction will be taken into consideration when a penalty is assigned. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability. **Students who are found to have violated the District's Code of Conduct may be subject to the following penalties, either alone or in combination with one another. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.**

B. Penalties: Students who are found to have violated the District's code of conduct may be subject to the following penalties, either alone or in combination.

- ~~1. Oral warning/plus a phone call to parents~~
- ~~2. Written warning/notification to parent~~
- ~~3. Detention~~
- ~~4. Suspension from transportation~~
- ~~5. Suspension from athletic participation~~
- ~~6. Suspension from social or extracurricular activities~~
- ~~7. Suspension of other privileges~~
- ~~8. In-school suspension~~
- ~~9. Removal from classroom by teacher~~
- ~~10. Short-term (five days or less) suspension from school~~
- ~~11. Long-term (more than five days) suspension from school~~
- ~~12. Permanent suspension from school~~
- ~~13. Restoration of damage and/or payment for replacement or repair~~
- ~~14. Social probation~~
- ~~15. School service projects~~
- ~~16. Voluntary participation in counseling or specialized classes, including anger management or dispute resolution.~~

1. Verbal Warning - Any District Employee
2. Written Warning - Teachers, Building Administrator, Superintendent
3. Written Notification to Parents - Teachers, Building Administrator, Superintendent
4. Detention - Teachers, Building Administrator, Superintendent
5. Device Confiscation - Teachers, Building Administrator, Superintendent
6. Suspension from Transportation - Building Administrator, Director of Transportation, Superintendent
7. Suspension from Athletic Participation - Building Administrator, Athletic Director, Director of Health, Physical Education and Interscholastic Athletics, Superintendent
8. Suspension from Social or Extracurricular Activities - Building Administrator, Superintendent.
9. Suspension of Other Privileges - Building Administrator, Superintendent
10. Saturday Detention (Middle/High School) - Building Administrator, Superintendent
11. Criminal Charges - Superintendent and Building Administrators
12. County Youth Court - Building Administrator, Superintendent
13. Removal from Classroom - Teachers, Building Administrator, Superintendent
14. Short-Term (five days or less) Suspension from School - Building Administrator, Superintendent

15. Long -Term (more than five days) Suspension from School - Building Administrator, Superintendent

16. Permanent Suspension from School - Superintendent

The length of time for the above penalties will be determined by the Administration using the principles of progressive discipline and in accordance with the provisions of the New York State Education Law.

C. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty 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 penalty.

Students who are to be given penalties other than an oral warning, written warning, or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

After School Detention Policies

Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

Suspension from Transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the District will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parents will be provided with a reasonable opportunity for an informal conference with the building principal to discuss the conduct and the penalty involved.

SUSPENSION FROM ATHLETIC PARTICIPATION, EXTRA-CURRICULAR ACTIVITIES & OTHER PRIVILEGES

Saturday Detention Policies

Saturday detention is designed to help students with discipline, attendance, and academic problems. Parental support is very important. Parents will be mailed a notice explaining the procedures and the date the student is scheduled to attend. Failure to report to Saturday detention will result in more severe disciplinary action. Saturday detention will be scheduled on Saturday mornings from 8:00 a.m. until 11:00 a.m. Students should bring schoolwork to do. Talking, iPods, food/drink, playing cards, games, computer games, etc. are not permitted in Saturday detention.

In-School Suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish 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 results of a code of conduct violation in "in-school suspension."

A student subjected to an in school suspension is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parents 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.

An In-school suspension supervisor is assigned to supervise these students in his/her room. The students are allowed to obtain their assignments for the day and are not penalized with an unexcused absence. These students spend the entire day completely isolated from other students. Students assigned to ISS will report to the main office at 7:45 a.m., after attendance is taken in the homeroom. Students will be escorted to the bathroom/locker and cafeteria. Students should bring schoolwork to do. Talking, iPods, food/drink, playing cards, games, computer games, etc. are not permitted in ISSR. Students are not allowed to attend/participate in school activities while assigned to the ISSR. Teachers are responsible for getting homework to the students assigned ISSR.

Suspension from School

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent, or disruptive, or whose conduct otherwise endangers the safety, morals, health, or welfare of others.

Any student who has been suspended from school is not allowed on school grounds and may not attend/participate in any school activity for the duration of the suspension. Any student found guilty of bringing a weapon, other than a pocket knife with a blade of less than 2.5 inches in length and/or school issued plastic knives from the cafeteria, onto school property would be subject to suspension from school for at least one year. The Superintendent of Schools and/or the Board of Education shall have the authority to modify this suspension requirement for each student on a case-by-case basis. The Board of Education may also condition a student's early return to school and suspension revocation on the student's voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable.

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

Procedure

A. Short-Term (five 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 orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24-hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

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

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

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within ten business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within ten 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 ten business days of the Superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within thirty days of the decision.

B. Long-Term (more than five days) Suspension from School

When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate 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 ten business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances preclude them from doing so. The Board may adopt in whole, or in part, the decision of the superintendent. Final decisions of the Board may be appealed to the Commissioner within thirty days of the decision.

C. Permanent Suspension

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel, or any other person lawfully on school property or attending a school function.

D. Teacher Removal of Disruptive Students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances, the classroom teacher can control a student's behavior and maintain or restore control over the classroom by 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: (1) sending a student to the principal's office for the remainder of the class time only; or (2) sending a student to a guidance counselor 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.

Any regular certified classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.

The teacher must complete a district-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal forms. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the principal, or another district administrator designated by the principal, must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

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

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

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

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

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

XI. Alternative Instruction

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the District will take immediate steps to provide alternative means of instruction for the student.

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

A. Authorized Suspensions or Removals of Students with Disabilities

For Purposes of This Section of the Code of Conduct, the Following Definitions Apply: A "suspension" means a suspension pursuant to Education Law §3214. A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

An "IAES" means a temporary educational placement for a period of up to forty-five 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 designated to prevent the behavior from recurring.

1. School Personnel May Order the Suspension or Removal of a Student with a Disability from His or Her Current Educational Placement as Follows:

- The Board, superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting, or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior
- The superintendent may order the placement of a student with a disability into an IAES, another setting, or suspension for up to ten 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.
- The superintendent may order additional suspensions of not more than ten 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.

- 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 forty-five 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 illegal substances or sells or solicits the sale of a controlled substance while at school or a school function.
- 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 forty-five days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.
 - (1) "Weapon" means the same as "dangerous weapon" under 18 V.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."
 - (2) "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.
 - (3) "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.
 - (4) "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."

2. Change of Placement Rule

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

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

A. The district's Committee on Special Education shall:

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 ten 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 or her current educational placement for more than ten 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.

- The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
- 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. 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:
 - 1) conducted an individual evaluation and determined that the student is not a student with a disability, or
 - 2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.
- If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.
- However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.
- The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to

an IAES for either misconduct involving weapons, illegal drugs, or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.

- The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
- 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.
- 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 ten 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.
- 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.

4. Expedited Due Process Hearings

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

The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearing where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.

The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

- 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, illegal substances, or controlled substances, or on grounds of dangerousness, or regarding a determination of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
- 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.

An expedited due process hearing shall be completed within fifteen business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days

after the last hearing date, and in no event later than forty-five calendar days after receipt of the request for a hearing, without exceptions or extensions.

5. 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.

XIII. 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.

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

XIV. Student - Staff Relations – Fraternization

Any student who believes that he/she has been subjected to inappropriate staff behavior, (i.e.; personal text messages, personal emails or any socializing outside of school, not school related) as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's Principal or the District's designated Complaint Officer. In all events such reports shall be forwarded to the designated Complaint Officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

XV. Visitors to the Schools

Normally, the district encourages parents and other district residents to visit the district's schools and classrooms to observe the work of students, teachers, and other staff.

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

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. Students are not to bring relatives, friends, or other guests to school during school hours. Legitimate visitors (including parents) must report to the school office.
3. All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
4. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
5. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the principal, so that class disruption is kept to a minimum. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the principal or his or her designee.
7. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
8. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

XVI. Random Drug Searches by Police Dogs

The Superintendent of Schools in consultation with the Board of Education determines that the District's commitment to the health and safety of students and staff may require it to utilize the services of local police agencies with police dogs to detect illegal drugs in school. This procedure is established to govern the use of such dogs for random drug searches on school property.

The building principal is designated as the contact person, and this individual will determine if and when and how often a police agency will be called to school property for the purpose of a search on school premises. When this decision has been made, the following procedures will apply:

1. In the case of a random school search, no person will be notified in advance of the arrival of the police except the Superintendent and other building principals.
2. Police officers and dogs will be accompanied on tours of school district property by the building principal.
3. Searches shall be conducted when students are in classrooms or outside of the school.
4. All areas of school buildings and school property are subject to search including, but not limited to, student lockers, vehicles, classrooms, student and faculty restrooms and staff, faculty and administrative offices.
5. Police officers and their dogs are not authorized to "sniff search" any individuals or their property such as book bags and carrying cases.
6. Should a police dog "alert" to a specific locker or other area mentioned above, the school administration shall conduct a search of the locker pursuant to appropriate provisions of Board policy. All persons whose school lockers, desks, storage cabinets, etc., are discovered to contain illegal drugs will be referred to the appropriate police agency. In addition, school disciplinary rules/regulations will be enforced.
7. Whenever dog searches are conducted in a school building or on school grounds, the principal will provide a written report of the investigation to the Superintendent of Schools.
8. Students, parents, faculty and staff must be made aware of this policy and the procedures for drug searches by police dogs.

9. Students, parents, faculty and staff must be made aware that a K-9 dog may alert on a locker in which narcotics are not located due to a variety of factors such as, but not limited to, the odor of narcotics within fabrics, book bags, and purses. The K-9 dog search is only a tool used to assist in the search for the discovery of narcotics.

XVII. Public Conduct on School Property

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

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

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

A. Prohibited Conduct

No person, either alone or with others, shall:

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 or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, gender identity, physical appearance, sexual orientation or disability.
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 alcohol in any form, tobacco, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.

15. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.
16. Distribute or post any written material, pamphlets, or posters without prior approval of the superintendent.

B. Penalties

Persons who violate this code shall be subject to the following penalties:

1. Visitors: Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students: They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Faculty and Staff: They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or Civil Service Law §75 or any other legal rights that they may have.

C. Enforcement

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code.

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

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

XVIII. Searches and Interrogations of Students

Students are protected by the Constitution from unreasonable searches and seizures. A student may be searched and contraband/prohibited items seized on school grounds or in a school building by an authorized School District official (as designated below) only when the School District official has reasonable suspicion to believe the student has engaged in or is engaging in proscribed activity which is in violation of the law and/or the rules of the school (i.e., the District Code of Conduct).

Factors to be considered 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 school official's prior knowledge of and experience with the student; and

- f) The urgency to conduct the search without delay.

The Superintendent, Building Principals, Assistant Principals, and School Nurse are authorized to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will produce evidence that the student has violated or is violating the law and/or the Code of Conduct.

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. Searches will be conducted by a staff member of the same sex as the student. Whenever possible, another staff member, also of the same sex, will be present as a witness.

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 or jacket. Strip searches are intrusive in nature and are not permissible. If school authorities believe there is an emergency situation that could threaten the safety of others, the student shall, to the extent practicable, be isolated and secured. Police and parents will be contacted immediately.

Searches and Seizure of School Property

Student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces loaned by the school to students remain the property of the school, and may be opened and inspected by school employees at any time. Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over such property. This means that student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces may be subject to search and/or seizure of contraband/prohibited items at any time by school officials, without prior notice to students and without their consent.

Questioning of Students by School Officials

School officials have the right to question students regarding any violations of school rules and/or illegal activity. In general, administration may conduct investigations concerning reports of misconduct which may include, but are not limited to, questioning students, staff, parents/guardians, or other individuals as may be appropriate and, when necessary, determining disciplinary action in accordance with applicable due process rights.

Should the questioning of students by school officials focus on the actions of one particular student, the student will be questioned, if possible, in private by the appropriate school administrator. The student's parent/guardian may be contacted; the degree, if any, of parental/guardian involvement will vary depending upon the nature and the reason for questioning, and the necessity for further action which may occur as a result.

The questioning of students by school officials does not preclude subsequent questioning/interrogations by police authorities as otherwise permitted by law. Similarly, the questioning of students by school officials does not negate the right/responsibility of school officials to contact appropriate law enforcement agencies, as may be necessary, with regard to such statements given by students to school officials.

School officials acting alone and on their own authority, without the involvement of or on behalf of law enforcement officials (at least until after the questioning of students by school authorities has been

conducted) are not required to give the so-called "Miranda warnings" (i.e., advising a person, prior to any custodial interrogations as defined in law, of the right to remain silent; that any statement made by the individual may be used as evidence against him/her; and that the individual has the right to the presence of an attorney, either retained or appointed) prior to the questioning of students.

If deemed appropriate and/or necessary, the Superintendent/designee may also review the circumstances with School District legal counsel so as to address concerns and the course of action, if any, which may pertain to and/or result from the questioning of students by school officials.

Law Enforcement Officials

It shall be the policy of the School District that a cooperative effort shall be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on school premises or during a school-sponsored activity, or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property.

Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions.

Interrogation of Students by Law Enforcement Officials

If police are involved in the questioning of students on school premises, whether or not at the request of school authorities, it will be in accordance with applicable law and due process rights afforded students. Generally, police authorities may only interview students on school premises without the permission of the parent/guardian in situations where a warrant has been issued for the student's arrest (or removal). Police authorities may also question students for general investigations or general questions regarding crimes committed on school property. In all other situations, unless an immediate health or safety risk exists, if the police wish to speak to a student without a warrant they should take the matter up directly with the student's parent/guardian.

Whenever police wish to question a student on school premises, administration will attempt to notify the student's parent/guardian.

If possible, questioning of a student by police should take place in private and in the presence of the Building Principal/designee.

Child Protective Services' Investigations

From time to time, Child Protective Services may desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse and/or neglect. The Board encourages cooperation with Child Protective Services in accordance with applicable Social Services Law.

XIX. 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 copies of a summary of the code to all students, in an age-appropriate, plain-language version, at a general school assembly held at the beginning of each school year.
2. Making copies of the code available to all parents at the beginning of the school year.

3. Providing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
4. 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.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members.

The Board will 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 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 code of conduct, and any amendments to it, will be filed with the Commissioner no later than 30 days after adoption.

The District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website, if available. 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.