

CODE OF CONDUCT

FOR THE

RED CREEK CENTRAL SCHOOL DISTRICT

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CODE OF CONDUCT

INTRODUCTION

The Red Creek Central School District (“District”) is committed to providing a safe and orderly school environment where students may receive, and the District personnel aims to deliver, quality educational services without disruption or interference. Responsible behavior by students, teachers, other District personnel, parents, and other visitors is essential to achieving this goal.

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, responsibility, citizenship, character, tolerance, honesty, integrity, and dignity. The Board of Education (the “Board”) recognized the need to clearly define these expectations for acceptable conduct on school property and at school functions, to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. Further, the Board recognizes the importance of instruction as defined in the Dignity for All Students Act. All District staff members will comply with these provisions by providing instruction on tolerance, respect for others, and dignity, including awareness and sensitivity to harassment, bullying, cyberbullying, discrimination, and civility. This includes, but is not limited to, actual or perceived differences in race, color, weight, national origin, ethnic group, religion, religious practices, mental or physical disability, socio-economic status, sexual orientation, gender and sex. To this end, the Board adopts this Code of Conduct (the “Code”) in compliance with New York State Education Law.

Unless otherwise indicated, this Code applies to all students, school personnel, parents, volunteers, vendors, contractors, and visitors when on school property or attending a school function. This Code also applies to off-campus conduct that creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct might reach school property.

PUBLIC CONDUCT ON SCHOOL PROPERTY

Maintenance of Public Order

The Board, pursuant to Section 2801 of the Education Law, does hereby adopt the following rules and regulations to provide for the maintenance of public order on the property of said District and to provide for the enforcement thereof.

Applicability

These rules and regulations shall apply to all persons upon the real or personal property of the District including, but not limited to, students, employees of the school district and any other individuals on school district owned or controlled premises. The Superintendent, or designee, may request individuals who do not comply with school rules to vacate the school premises. Law enforcement will be called for individuals who refuse the request to vacate the premises.

Violations

The commission of any of the following constitutes improper and prohibited conduct by any persons while on school property or at a school function:

- Willful obstruction or disruption of teaching, research, administration, disciplinary procedures or other District activities, including the District’s public service functions, or of other authorized activities on District owned or controlled property.

- Physical abuse, the infliction of personal injury or unlawful detention of any person on District property.
- Possession, use or sale of firearms or other weapons.
- Possession, use, sale or other disposition of any items or substances which are illegal under the laws of the State of New York.
- Damage to or conversion or removal of personal property or real property within District owned or controlled premises.
- Willful interference with the free flow of pedestrian or vehicular traffic on District owned or controlled premises.
- Entry upon or use of District facilities or property without authorization in those cases where said facilities or property are restricted in entry or use.
- Violations of regulations governing the use of District facilities or property.
- Intimidate, threaten, harass, bully, or discriminate against any person on the basis of a person's actual or perceived race, age, color, weight, national origin, ethnic group, religion, religious practices, creed, disability, socio-economic status, sexual orientation, gender, sex or any other legally protected category.
- Distribution or dissemination of printed, written, recorded, or other materials without the prior approval of the Building Principal or their designee. The granting of approval or the refusal to grant the same, shall be determined in accordance with administrative guidelines or the distribution and dissemination of materials on school owned or controlled premises. Nothing here shall be construed to violate a person's constitutional rights to free speech or assembly.
- Failure to comply with the lawful directions of District employees or law enforcement officers acting in performance of their duties.
- Soliciting, commanding, aiding or otherwise abetting any person with any act or conduct prescribed by these rules and regulations.
- Possess, consume, sell, distribute, share, or exchange alcoholic beverages, marijuana or cannabis products, controlled substances, or illegal drugs, or be under the influence of any of these substances on school property or at a school function.
- Operation of motor vehicles, including, but not limited to, snowmobiles, motor bikes, go-carts, motor scooters, and other similar vehicles propelled by a gasoline, diesel oil, fossil fuel or electric power engine, on all property now or hereafter owned by the District.

This prohibition shall not apply to:

1. Motor vehicles as defined by the New York State Vehicle & Traffic Law (except snowmobiles, motor bikes, go-carts, motor scooters and other similar vehicles) which are (i) licensed by the Dept. of Motor Vehicles of the State of New York; (ii) insured under the mandatory provisions of the Vehicle & Traffic Law; and (iii) lawfully operated on driveways or parking fields accessory to any school, installation, or facility under the jurisdiction of the District.
 2. Motor vehicles which are operated on other portions of District property for the purpose of conducting business or performing services for District purposes.
 3. No motor vehicle shall be operated on District property at a speed in excess of fifteen (15) miles per hour.
- Commission of omission of any act which is in violation of any State, Federal or Local Law, rule or regulation.
 - Hazing/Bullying (any action or situation which recklessly and intentionally endangers the mental or physical health of a student).
 - Gambling on school property or at school functions.
 - Violating the Acceptable Use of Technology procedures established by the District.
 - While on school property or at school functions, both on or off-campus, it is required that everyone be respectful of and to each other.
 - Smoking or use of tobacco products is prohibited on school property. This includes the use of vapes, nicotine-based products, and e-cigarettes.
 - Skateboarding on school property (as per policy).

- Failure to comply with Board of Education policy.
- Except as required by law, no animals shall be allowed on school grounds or at school functions unless with prior permission from school administration.

Visitors who violate the Code will have their authorization, if any, to remain on school property or at the school function suspended and will be directed to leave the premises. If they refuse to leave, they will be removed by local law enforcement authorities. The length of the suspension will be determined by administration after investigation of the violation and the violator will receive written notice of the District's determination. "Visitor" means any person not enrolled in or employed by the District on school premises or at a school function.

Visitors to the Schools

While visitors may be permitted, schools are a place of work and learning. The Building Principal or their designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the main office upon arrival at the school **where they will be required to present photo.** ~~All visitors must show proper~~ identification (~~i.e.~~ driver's license, ~~picture ID, etc.~~). **All visitors' identification will be scanned, making an electronic record of their visit. Visitors will also** ~~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. All visitors must sign out when leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to visit or observe a classroom while school is in session are required to arrange such visits in advance with the building administrator so that class disruption is kept to a minimum. A minimum of 48 hours' notice must be provided.
5. Teachers are not expected to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the Principal or their designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code.

Bill of Student Rights and Responsibilities

The District offers free public education to all school age students in the District regardless of race, color, religion, sex (including gender identity and sexual orientation), national origin, age, disability, and genetic information.

As members of the school community, students are entitled to certain rights that are defined for their awareness and protection. Students also have certain responsibilities to themselves, to fellow students, to their teachers and to other school personnel.

However, the student's prime responsibility is recognized as being the personal advancement of their education and career goals within a framework that is civically responsible and socially appropriate.

Equally significant is the fact that others, including parents, teachers, counselors, administrators, other district employees and the Board have a responsibility to students in the acquisition of their educational development and in providing for their personal safety.

The shared responsibility is the basis for a strong commitment to provide a reasonable and responsive educational program that will prepare students for a future that is appropriate both for their interest and aptitude, and for the needs of the society in which they live.

It shall further be the policy of the District to provide early intervention in dealing with behavioral issues by screening for causative elements and factors; and by then providing corrective measures to bring about positive change.

It is important that all partners in the educational community become familiar with the adopted policies and regulations of the District that are designed to promote and provide a proper and meaningful educational experience for the students of the District.

Students' Rights

1. Students have the right to attend school in the district in which one's parent or legal guardian resides.
2. Students have the right to expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly.
3. Students have the right to pursue an education in an atmosphere that is safe and conducive to learning, and to achieve all that they are capable of achieving.
4. Students have the right to enroll in courses of study for which they are qualified.
5. Students have the right to be respected as individuals.
6. Students have the right to procedural due process guaranteed by the United States Constitution and New York Education Law.
7. Students have the right to freedom of speech and freedom of expression to the degree that the exercise of their freedom does not interfere with the educational process or infringe upon the rights of others.
8. Students shall have equal opportunity in their pursuit of curriculum offerings, athletics and extracurricular activities.
9. Students have the right to make recommendations ~~through the student government~~ regarding school rules, school regulations or issues pertaining to student organizations (e.g., [through student government](#)).
10. Students have the right to take part in all school activities on an equal basis regardless of race, color, creed, religion, religious practice, sex, sexual orientation, gender, national origin, ethnic group, political affiliation, age, marital status, or disability.
11. Students have the right 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.
12. Students have the right 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, by employees or students on school property or at a school-sponsored event, function or activity.
13. Students have the right to a drug-free environment and/or atmosphere.

Student Responsibilities

It is the responsibility of the students to:

1. 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. Conduct themselves with respect toward self, fellow students, teachers and others.
3. Strive to achieve their fullest potential in all areas.
4. Follow all reasonable directives of the school staff.
5. Strive to fulfill all classroom obligations to teachers.
6. Demonstrate respect for school property and for the property of others.
7. Demonstrate appropriate conduct and a positive attitude in school activities.
8. Promptly report violations of the Code to school staff, e.g., teacher, counselor, Building Principal or other administrator. This includes the possession of weapons, alcohol, or illegal substances on school property or at a school function.
9. When a student is in violation of the Code, the student is responsible to report the violation to a school employee. Students have a responsibility to be honest and forthcoming with information when questioned by school employees.
10. To respect one another and treat others fairly in accordance with the Code and the provisions of the Dignity For All Students Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others to report any incidents of intimidation, harassment or discrimination.
11. Review the Code in its entirety.

Role of the Parent/Guardian

It is the responsibility of the parent to:

1. Recognize that the primary responsibility for a child's welfare and development rests with the parent.
2. Teach the child by word and example, respect for law and authority.
3. Encourage the child to learn and respect the rights of others.
4. Send their children to school ready to participate and learn as required by New York State Education Law and in accordance with the District's Comprehensive Student Attendance Policy. Ensure that children attend school regularly and on time. Ensure absences are excused.
5. Know school rules and help their children understand them to maintain a safe, orderly environment in accordance with the Code.
6. Work with schools to maintain open and respectful communication.
7. Help their children deal effectively with peer pressure.
8. Inform school officials of changes in the home situation that may affect student conduct or performance.
9. Provide a place for students to ensure that homework assignments are completed.
10. Become familiar with handbooks provided at each building.
11. Provide guidance for the child to develop socially appropriate standards of conduct and behavior.
12. Strive to maintain the child in good physical, mental and emotional health.
13. Require the child to dress in a clean, safe and presentable manner.
14. Seek involvement in the child's school, its teachers, programs and activities; as well as to attend parent conferences and school functions.
15. Teach their children respect and dignity for themselves and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.
16. Review the Code in its entirety.

Role of the Teacher

It is the responsibility of the teacher to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding or appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
2. Be prepared to teach with rigor and differentiated instruction.
3. Demonstrate interest in teaching and concern for student achievement.
4. Demonstrate, by word and action, respect for law and order and self-discipline.
5. Provide students with direction and guidance that will assist them in thinking, reasoning and in being responsible for their actions.
6. Keep students and parents informed regarding student development and progress.
7. Treat students as individuals.
8. Communicate to students and parents: course objectives and requirements, marking/grading procedures, assignment deadlines, expectation for students, classroom discipline plan.
9. Communicate regularly with students, parents and other teachers concerning growth and achievement.
10. Involve themselves in the development of school rules and regulations regarding student conduct, and to require the appropriate student observance of the rules and regulations.
11. Be consistent, fair and firm in dealing with students both in and out of the classroom.
12. Reinforce positive student behavior.
13. Seek appropriate resources to bring about positive change in student behavior.
14. Continue to grow professionally.
15. Inform students and parents regarding curriculum at various grade levels.
16. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.
17. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
18. 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 in a timely manner.
19. Review the Code in its entirety.

Role of School Counselors

It is the responsibility of school counselors to:

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate and appropriately document teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, to resolve problems.
3. As appropriate, regularly review with the students their educational progress, career plans and graduation requirements.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Coordinate intervention services through the Multi-Tiered Systems of Supports ("MTSS"), as needed, with student, parent, Building Principal, and teachers.
7. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strength students' self-image and promote confidence to learn.
8. 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 in a timely

- manner.
9. Review the Code in its entirety.

Role of Student Support Service Personnel

It is the responsibility of Support Service Personnel to:

1. Support education and academic goals.
2. Know school rules, abide by them and enforce them in a fair and consistent manner.
3. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
4. Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.
5. Maintain confidentiality about all personal information and educational records concerning students and their families.
6. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, to resolve problems and communicate as necessary in any other manner with parents and other staff regarding student progress and needs.
7. Regularly review with students their education progress and career plan.
8. Provide information to assist students with career planning.
9. Encourage students to benefit from the curriculum and extra-curricular programs.
10. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or 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.
11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
12. Review the Code in its entirety.

Role of Other School Staff (including volunteers)

It is the responsibility of school staff to:

1. Follow the Code; know, abide by and enforce school rules in a fair and consistent manner.
2. Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
3. Assist in promoting a safe, orderly and stimulating school environment.
4. Maintain confidentiality about all personal information and educational records concerning students and their families.
5. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
7. Review the Code in its entirety.

Role of the School Resource Officer

It is the responsibility of the School Resource Officer ("SRO") to:

1. Respect and protect the rights of individuals and perform their work and services with honesty, zeal, courage, discretion, fidelity and sound judgment.
2. Instruct students in conflict resolution, crime awareness, and anger management.
3. Present educational programs (i.e. technology and crime, drug related behaviors, crime awareness) annually to students, school employees, parents, and school board members.
4. Provide a police presence in the District in order to promote and provide an atmosphere of enhanced school safety for faculty, staff, students and school visitors.
5. Provide a Law Enforcement resource to students, teachers, school administrators and parents so as to:
 - a. Increase student awareness about personal safety, crime prevention, internet safety, conflict resolution, violence prevention, restorative justice, peer mediation, and other related topics through formal and informal instructional strategies.
 - b. Increase school faculty and staff awareness about policies and procedures for preventing/responding to incidents of violence and other threats to school safety.
6. Build relationships by being a liaison between the Wayne County Sheriff's Office and the District and act as liaison with police and other emergency personnel.
7. Present evaluations regarding crime and disorder problems and gang and drug activities occurring in and around the school.
8. Advise the District's administration of any circumstances or situations that may create any potential harm to persons, or damage to, or loss of property.
9. Assist the schools with security concerns and recommend changes to enhance security.
10. Assist in preparation of response plans and respond to criminal activity in and around the school (as per the Safe Schools Against Violence in Education Act).
11. Assist the District in meeting requirements mandated by New York State Law:
 - a. When feasible and requested to do so by District's officials, and in a manner which does not infringe upon individuals' Constitutional rights, screen persons entering the building or school grounds.
 - b. Question any individual not having appropriate identification to ascertain their status.
 - c. The SRO shall not enforce school rules or policies or act as a school disciplinarian. Matters of school discipline shall be referred to the appropriate Building Principal.

Role of the Building Principal

It is the responsibility of the Building Principal to:

1. Provide an environment that is conducive to learning.
2. Exercise the authority delegated by the Superintendent of Schools.
3. Be consistent, fair and firm in making decisions that affect students, staff and parents.
4. Demonstrate, by word and example, respect for law and order, self-discipline, and a sincere concern for all persons under their authority.
5. Develop reasonable and effective class schedules and teaching assignments for students and staff.
6. Set up and maintain open lines of communication with students, staff and parents.
7. Become involved with students by attending and supervising school activities, and by visiting classrooms.
8. Work with students, teachers, counselors, and parents to establish cooperative techniques for bringing about positive student behavior.
9. Provide for the clear dissemination of rules and regulations to students, staff and parents.
10. Provide students and staff the rights of due process and equal protection that are guaranteed under the law.
11. Implement Board policy.
12. Maintain and encourage a climate of mutual respect and dignity for all students regardless of

actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, 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.

13. 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.
14. Review the Code in its entirety.

Role of the Superintendent and the Board of Education

It is the responsibility of the Superintendent and the Board of Education to:

1. Promote a safe, orderly, respectful and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
2. Employ and maintain a skilled and responsive staff at all levels.
3. Provide a program of instruction to help meet the needs of all students.
4. Enforce discipline in accordance with District policies and New York State Law.
5. Provide for an ongoing assessment of programs and facilities to determine their effectiveness.
6. Be fair and consistent in rendering decisions regarding students whose behavior problems have been referred to or appealed to the Superintendent of Schools or the Board.
7. Provide for the in-service training of staff and regular substitutes.
8. Appoint a Dignity Act Coordinator in each school. 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 regarding the Dignity Act.
9. Review the Code in its entirety.

STUDENT CONDUCT

Dress code

The dress code is designed in a manner that does not reinforce stereotypes and is meant to minimize reasons for conflict.

Safety and belonging are important components of a positive school culture. The dress code policy is focused on promoting both. Students may dress in any style they desire and may present themselves in a way that is consistent with their identity. The Dress Code welcomes students to dress and/or groom themselves in a way that allows them to express their gender identity and to wear protective hairstyles (including but not limited to braids, locks, and twists) or to wear their hair in a particular texture in accordance with the CROWN Act.

Religious and cultural headwear is allowed and accepted in all settings.

At all times, **S**tudents must dress in a manner that is safe, appropriate, and will not disrupt or interfere with the educational process; this includes grooming and appearance, including, but not limited to, hair style/color, jewelry. As such, students must wear:

1. Clothing that covers private body parts with opaque (non-transparent) material
2. A top and bottom that do not expose underwear
3. Shoes that are appropriate for the school setting

Students May Wear:

1. Athletic attire
2. Fitted pants including leggings, yoga pants, and “skinny jeans”
3. Tank tops, including spaghetti straps, and halter tops

Students May Not Wear:

1. Clothing that depicts or advocates:
 - a. Violence
 - b. Profanity
 - c. Obscenity
 - d. Criminal activity
 - e. Alcohol, tobacco, or drugs
 - f. Vaping
 - g. Pornography
 - h. Nudity
 - i. Symbols of hate or hate speech targeting race, ethnicity, sexual orientation, gender, gender identity, gender expression, religious affiliation, or any other protected groups.
2. Clothing that is unsafe for the school setting including but not limited to hats, sweatshirt hoods, ski masks, etc.

Bookbags, tote bags, purses, etc. must be kept in lockers [during the school day](#). Exceptions can be made due to student medical needs.

Each Building Principal shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revision to the dress code made during the school year. The Building Principal will determine if the student’s clothing is in accordance with the above dress code.

Enforcement of this dress code must be approached with careful consideration and sensitivity, with the goal of supporting students in reaching their full potential, not shaming or criminalizing them, and to minimize loss of instructional time. Enforcement for students in grades UPK-5 should be limited to safety and non-violence/non-discrimination and should not include messages predicated on body maturity.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replacing it with an acceptable item. 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.

Prohibited Student Conduct

The District expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of others, and for the care of school property and equipment.

~~Discipline should be self-imposed,~~ [Students are accountable for maintaining their own appropriate conduct](#), and **students** must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District staff who interact with students are expected

to use disciplinary action when necessary and to place emphasis on the students' ability to grow in self-discipline. Students who do not accept responsibility for their own behavior and who violate school rules may be disciplined up to and including suspension from school.

The Board recognizes the need to make **clear** its expectations for student behavior while on school property or engaged in **or attending any** school function ~~clear~~. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. **Students who violate school rules and who do not accept responsibility for their actions may be disciplined up to and including suspension from school.** ~~Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their behavior.~~

Students may be subject to disciplinary action, up to and including, in extreme or repeated occurrences, suspension from school, when they engage in the following:

CONDUCT THAT IS DISORDERLY

Examples of conduct that is disorderly includes but is not limited to:

1. Running or otherwise unsafe behavior in the classroom or hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, vulgar, lewd, or abusive.
4. Engaging in any willful act which disrupts the normal operation of the school community.
5. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
6. Computer/electronic communications misuse. The use of any computer hardware and/or software in any inappropriate, fraudulent or destructive manner will not be tolerated, and will be referred to the Principal or Assistant Principal. Examples of misuse include, but are not limited to: sending out unauthorized messages, entering a code-protected file, plagiarism, altering a software program, vandalizing hardware or software components, using another person's password, accessing inappropriate websites (pictures, writing, or other material that is sexually explicit, non-educational games, etc.). Students who misuse their computer privileges may be given detention and/or have their computer privileges suspended.
7. Unauthorized use of electronic devices during the school day. The use of cell phones, personal tablets, laptops, pagers, MP3 players, electronic music devices, CD players, laser pointers, etc. is prohibited during the regular school day, except as noted below. Cell phones must be off and stored in locker during school hours. High School students are permitted to have cell phones only in the cafeteria during their assigned lunch period. The school is not liable for lost or damaged cell phones/ electronic devices. While students are permitted to possess such devices during the school day, they are prohibited from using them in any manner which invades the privacy of students, employees, volunteers or visitors, including the video recording of other individuals or the dissemination of videos or images of other individuals. Students are not permitted to use any form of information technology, including their own personal electronic devices, to intimidate, harass, or threaten others.

CONDUCT THAT IS DISRUPTIVE OR INSUBORDINATE

Examples of conduct that is disruptive or insubordinate includes, but is not limited to:

1. Failing to comply with reasonable requests of teachers, administrators or other District staff in charge of students.
2. Failing to comply with any school rule, regulations, or policy (including those relating to attendance).

3. Demonstrating disrespect.
4. Tardiness for, missing, or leaving school without permission.
5. Skipping assigned disciplinary sessions (e.g., detention).
6. Intentionally misinforming (i.e., lying to) school personnel or withholding information pertinent to the educational environment.
7. Engaging in sexual activity on school premises or at a school function.
8. Unauthorized display or use of electronic devices, such as, but not limited to, cell phones, music or video players, cameras, in a manner that is in violation of District policy or the Code.
9. Violations of the dress code

CONDUCT THAT IS VIOLENT

Examples of conduct that is violent includes, but is not limited to:

1. Committing or attempting to commit an act of violence upon any person lawfully on school property or at a school function.
2. Engaging in conduct with the intent to cause physical injury to another person.
3. 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.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Intentionally damaging or destroying, or attempting to damage or destroy, the personal property of a student, teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.
7. Intentionally damaging or destroying, or attempting to damage or destroy, District property.
8. Communicating, by any means including oral, written or electronic (such as through the internet, including social media or email) on or 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 (e.g., bomb threat, school shooting); or (b) results in material or substantial disruption to the educational environment.

CONDUCT THAT ENDANGERS THE SAFETY, MORALS, HEALTH OR WELFARE OF OTHERS

Examples of conduct that endangers the safety, morals, health or welfare of others includes, but is not limited to:

1. Engaging in any violent conduct as described above.
2. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
3. Engaging in conduct that constitutes a crime, including but not limited to, arson, stealing or attempting to steal 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.
5. Acts of sexual harassment as defined in the District's sexual harassment policy and/or engaging in sexual activity while on school property or attending school functions
6. Behaving in a manner either on school property or at a school function that discriminates against a student based on race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight or disability.

7. Harassment/Bullying, which is the creation of a hostile environment by conduct or threats, communication, verbal threats, intimidation, or abuse, of such a severe nature that:
 - a. has or would have the effect of reasonably and substantially interfering with a student's educational performance, opportunities or benefits or mental, emotional, or physical well-being; or
 - b. reasonably causes or would reasonably be expected to cause a student to fear for their physical safety.

Harassment/bullying may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones, the internet, or social media (e.g., cyberbullying); or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment, bullying, cyberbullying, and discriminatory conduct that warrants disciplinary action may occur off campus.

8. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
9. Hazing, which includes a method of induction, initiation or membership into any student organization or school team, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or another person (see also Policy No. 7553)
10. Selling, using, buying, distributing or possessing obscene/pornographic material.
11. Using vulgar, lewd, obscene or abusive language or gestures.
12. Smoking, possessing, using, consuming, selling, distributing or exchanging tobacco products, including cigarettes, pipes, cigars, chewing or smokeless tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, electronic cigarettes (e-cigarettes), vapes, cannabis or concentrated cannabis (includes cannabis products) or smoking cannabinoid hemp (except for lawful medical cannabis use in compliance with state law and regulation).
13. Possessing, consuming, selling, offering, manufacturing, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any synthetic version thereof, whether specifically illegal or not, commonly referred to as "designer drugs" which are substances designed and synthesized to mimic the intended effects and usages of, which are chemically substantially similar to, illegal drugs, which may or may not be labeled for human consumption.
14. Inappropriately using or sharing prescription and over-the-counter drugs.
15. Possessing paraphernalia used in connection with cigarettes, tobacco and/or cannabis products, including any type or brand of vapor cigarettes or vaping devices (and associated liquid substances, such as "e-juice"), lighters, matches, alcoholic beverages, illegal substances, prescription drugs and over-the-counter medications.
16. Gambling.
17. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
18. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
19. Knowingly making false statements or knowingly submitting false information to school staff during a disciplinary process.
20. Aiding and/or abetting another's violation of the Code (e.g., instigating, "egging on" or encouraging physical altercation).

MISCONDUCT WHILE ON A SCHOOL BUS

It is crucial for students to behave appropriately while using District transportation and other contracted services to ensure their safety and that of other passengers and to avoid distracting the bus driver. Additionally, when traveling to and from any school function, students act as representatives of the Red Creek Central School District. ~~Excessive noise, pushing, shoving, harassment, discrimination, and fighting will be subject to discipline. Furthermore, students are expected to adhere to all requirements of the Dignity Act while being transported on a school bus; students must not engage in harassment, bullying, cyberbullying, or discrimination.~~

Accordingly, students are subject to all expectations and prohibitions set forth in this Code of Conduct while riding District transportation to and from school property or any school function, including the prohibition against harassment, bullying, cyberbullying, or discrimination.

Further, students utilizing any form of District transportation must also abide by the “School Bus Conduct Rules and Regulations” set forth in this code.

ACADEMIC MISCONDUCT

Examples include, but are not limited to:

1. Plagiarism
2. Cheating
3. Copying
4. Altering records
5. Assisting another student in any of these actions
6. Violating the District’s Acceptable Use Policy
7. Forgery
8. Unauthorized use of Artificial Intelligence (“AI”) to complete academic work.

The above examples of prohibited conduct are not meant to be exhaustive. Any student conduct not defined in this Code, but which constitutes a violation of the statutes of the State of New York or any established rule or regulation of the District or any other rule, shall also be punishable by penalty in accordance with the Code and/or District policy. The absence of a specific rule will not be a license or reason for showing disrespect, infringing on the rights of others, or otherwise disrupting the educational environment.

Reporting Violations

All students are expected to promptly report violations of the Code to a teacher, school counselor, the Building Principal or their designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Building Principal, the Principal’s designee or the Superintendent. Students are prohibited from knowingly making false statements or knowingly submitting false information to school staff during a disciplinary process or investigation.

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

The Building Principal or their designee must notify the appropriate local law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the Principal or their designee learns of the violation. The notification may be made by telephone. The notification must identify the student and explain the conduct that violated the Code and constituted a crime.

Guidelines for Consequences of Prohibited Student Conduct

It is the belief of the District that inappropriate student behavior must be dealt with in a fair, firm and consistent manner. Consequences for misconduct must be appropriate for the infraction. In determining the appropriate disciplinary consequence, school personnel authorized to impose disciplinary consequences will consider the following:

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

In general, discipline will be progressive, meaning that a student's first violation will usually merit a lighter consequence than subsequent violations. District staff are empowered, however, to utilize the consequence most reasonably calculated to ensure the student learns from, and changes, their behavior and engages in more pro-social behavior in the future. This includes the use of restorative practices.

Discipline for students with a disability or students suspected of having a disability will be administered consistent with the separate requirements of the Code for disciplining students with a disability or presumed to have a disability.

Students who are found to have violated the District's Code may be subject to the following consequences, either alone or in combination:

- Oral warning, [parent contact](#), [loss of classroom privileges](#)
- Written warning to student/parent
- Written notification to parent
- Probation
- Pass Restriction
- Detention/Extended detention ([including lunch detention](#))
- Suspension from transportation
- Suspension from athletic participation
- Suspension from social or extracurricular activities
- Suspension [or loss](#) of other privileges ([e.g. parking permits](#))
- In-school suspension
- Removal from classroom by teacher [or administrator](#)
- Short-term (five days or less) suspension from school
- Long-term (more than five days) suspension from school
- Involuntary transfer
- Permanent suspension from school

In addition to the above, depending on the nature of the violation, a student may be referred to a non-school agency, such as law enforcement or the courts (e.g., Person in Need of Supervision (PINS) Petition).

Further, before or in conjunction with administering consequence from the list above, District personnel authorized to impose discipline may employ restorative practices, including, but not limited to, conflict resolution meetings, restitution to those harmed, and group, classroom, community, re-entry circles, a referral to MTSS, and/or a referral to counseling.

Immediate Law Enforcement Notification Provisions

Serious Violent Incident: An incident of violent criminal conduct that is, or appears to be, life threatening and warrants the evacuation of students and/or staff because of an imminent threat to their safety or health, including, but not limited to, riot, hostage-taking, kidnapping and/or the use or threatened use of a firearm, explosive, bomb, incendiary device, chemical or biological weapon, knife, or other dangerous instrument capable of causing death of serious injury.

Law Enforcement Notification provisions, other than a Serious Violent Incident, may include instances involving illegal weapons (firearms, knives, clubs, etc.), illegal substances, serious violent threats or actions as determined by the Principal.

Procedures

The amount of due process a student is entitled to receive before a consequence is imposed depends on the consequence being imposed. In all cases, regardless of the consequence imposed, the school personnel authorized to impose the consequence must inform the student of the alleged inappropriate behavior and must investigate, to the extent necessary, the facts surrounding the alleged misbehavior. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary consequence in connection with the imposition of the consequence.

Students who are to be given consequences other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the consequence is imposed.

DETENTION

Teachers, Principals and the Superintendent may use after school detention as a consequence for student misbehavior in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a consequence only after the student's parent has been notified and the student has appropriate transportation home following detention.

TEACHER REMOVAL OF DISRUPTIVE STUDENTS

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 disruptive student can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In many instances the classroom teacher can control disruptive student behavior by using good management techniques. Occasionally, however, it may be necessary for a teacher to remove a disruptive student from the classroom to ensure that the other students continue to learn.

A classroom teacher may remove a student from each class for up to two (2) days on a regular schedule if the teacher determines that the student is disruptive. The removal from class applies to the class of the removing teacher only.

If the student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student, before the student is removed, with an explanation for why they

are being removed. The student must also be given the opportunity to present their version of the relevant events. Only after this informal discussion may a teacher remove a student from class.

If the student does pose 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 they were removed from the classroom and give the student a chance to present their version of the relevant events within one (1) full school day.

The teacher must complete a District-established referral form and meet with the Principal 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 referral forms. If the Principal 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 their designee, prior to the beginning of classes on the next school day. ~~Teachers are expected to notify the parent/guardian the same day of the removal about the infraction and describe the reason for the removal. The teacher must also notify the parent/guardian the same day of the removal about the infraction and describe the reason for the removal.~~

Within 24 hours after the student's removal, the Principal or another District administrator designated by the Principal must notify the student's parent, in writing, that the student has been removed from the class and why. The notice must also inform the parent that they have the right to request an informal conference with the Principal or the Principal's designee to discuss the reasons for the removal. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to ensure receipt of the notice by the day after the student's removal at the last known address for the parent. 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 parents.

If, at the informal meeting, the student denies the charges, the Principal or another District administrator designated by the Principal 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 two (2) school days of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent, teacher, 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.
3. The conduct warrants suspension from school pursuant to Education Law § 3214 and a suspension will be imposed.

The Principal or their designee must make a determination as to whether to overturn the removal before the close of business on the day after the day of the informal hearing. 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. At the teacher's discretion, they may rescind the removal prior to the expiration of the full period of removal. The Principal will discuss with the teacher involved the action taken prior to the student reentering the classroom.

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

Each teacher must keep a complete log (on a District-provided form) for all cases of removal of students from their class. The Principal must keep a log of all removals of students from class. Removal of a student with a disability may, under certain circumstances, constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from their class until they have verified with the Principal or the Chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

Nothing in this section of the Code abridges the customary right or responsibility of a Principal to suspend a student. Further, nothing in this Code abridges the customary right and responsibility of a teacher to manage student behavior in the classroom. Short-term, time-honored classroom management techniques such as "time out" in an elementary classroom or in an administrator's office are not considered removals from class. The removal process should not become a substitute for good classroom management.

IN-SCHOOL SUSPENSION

The District may assign in-school suspension to students who would otherwise be suspended from school as the result of a Code violation.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law

§ 3214. However, the student and the student's parent/guardian 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 consequence involved prior to imposing the in-school suspension.

OUT-OF-SCHOOL SUSPENSION

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, welfare of others, and/or as defined by the student handbook or determined by the Principal.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the Building Principals.

All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the Code. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

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

Suspension from school means a student is temporarily excluded from school buildings, school grounds, and any school-sponsored activities (on or off school grounds).

Short-term Suspension (5 days or fewer)

When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five (5) 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 ensure receipt of the notice within 24 hours of the decision to proposed 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 scheduled 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 question 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 their decision. The Principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five (5) business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board with the District Clerk within 10 business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education (the "Commissioner") within 30 days of the decision.

Long-Term Suspension (more than 5 days)

When the Superintendent determines that a suspension for more than five (5) days may be warranted, they shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against them and the right to present witnesses and other evidence on their behalf.

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

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 10 business days of the date of the Superintendent's decision,

unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

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.

1. Students who bring weapons to school

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property or to a school function, as such terms is defined under the Gun Free Schools Act, may be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law § 3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- The student's age.
- The student's grade in school.
- The student's prior disciplinary record.
- The Superintendent's belief that other forms of discipline may be more effective.
- Input from parents, teachers, and/or others.
- Other extenuating circumstances.

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

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five (5) days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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.

STUDENT INTERVENTION REFERRALS INCLUDING REFERRALS TO NON-SCHOOL AGENCIES

Counseling

The Counseling Office shall handle all referrals of students to counseling, including the referral of students to outside agencies or counseling staff for additional counseling services. This includes the referral of students to counseling services provided by the school social worker, Delphi Rise, or Wayne Behavioral Health counselors.

MTSS (Multi-Tiered Systems of Support)

MTSS Coaches shall handle all referrals of students to the Tier 2 or Tier 3 team for additional interventions or supports. A teacher or parent may complete a Request for Assistance form to refer a student to the MTSS team. Upon receipt of a referral, the MTSS team will review the request for assistance, any applicable student data, and shall determine additional interventions or supports which will be made available to the student.

Below is a list of potential supports at each level of the MTSS system. This list is not exhaustive.

Tier 1:

- Clear, consistent routines and expectations in the classroom
- Differentiation of classroom materials
- The use of visuals, charts, and models for concept reinforcement
- Provide choice

Tier 2:

- Check-in, Check-out
- Lunch Bunch
- RAMs report
- Math or Reading AIS

Tier 3:

- Behavior Support Plan
- Individual Math or Reading AIS

Restorative Practices

Restorative practices in schools are a way of building a supportive community and repairing relationships when mistakes happen, rather than just punishing students. Instead of relying on punitive measures like suspensions or office referrals the restorative method focuses on healing, accountability, and connection.

Below is a list of Restorative Practice options that may be utilized in lieu of a traditional suspension or consequence for a Code of Conduct infraction. Please note that these lists are not exhaustive.

Tier 1:

- Community circles in the classroom
- Calming spaces provided to students
- Relationship building

Tier 2:

- Conflict mediation
- Tier 2 skills group
- Problem-solving circles

Tier 3:

- Restorative conferences with administrator, student, and family
- Student reentry agreements with administrator and family

- Community resource referral

PINS Petitions

The District may file a Person In Need of Supervision (“PINS”) petition in Family Court on any student under the age of 18 who demonstrates that they require supervision and treatment by:

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

Juvenile Delinquents and Juvenile Offenders

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

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

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 under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and Article 89 of the New York Education Law are entitled to protections for suspension and removal. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for purposes of discipline. The Board is committed to ensuring that the procedures followed for suspending or otherwise removing students with disabilities and students presumed to have a disability for discipline purposes are consistent with the procedural safeguards required by applicable laws and regulations.

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

Authorized Suspensions or Removals of Students with Disabilities

1. If a student with a disability is assigned an In School Suspension (ISS), the administration will make provisions for a certified teacher or teaching assistant to continue the student’s education program while in ISS.
2. For purposes of this section of the Code, 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 themselves or others.
 - An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES

placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

3. School personnel may order the suspension or removal of a student with a disability from their current educational placement as follows:
 - a. The Board, the Superintendent, or 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 (5) consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change or placement.
 - d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the CSE for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or displays misconduct relating to serious bodily injury.
 - 1) "Weapon" has the same meaning as it does under 201.2 of the Commissioner's Regulations. "Weapon" means 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 that such term does not include a pocket knife with a blade of less than two and one-half inches in length. For purposes of this section "serious bodily injury" means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
 - 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) Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in their current educational placement poses a risk of harm to the student or others.

Change of Placement Rule

4. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a. for more than 10 consecutive school days; or
 - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
5. School personnel may not suspend or remove a student with a disability 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 suspension 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.

Special Rules Regarding the Suspension or Removal of Students with Disabilities

6. The District's Committee on Special Education shall:
 - a. Unless already conducted, conduct a functional behavioral assessment to determine why a student engages in a particular behavior, and develop or review a behavioral intervention plan whenever the District is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.
 - b. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from their current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.
 - c. If one or more members of the CSE believe that modifications are needed, the District shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the Committee determines necessary.
 - d. 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 their 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.
7. 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 District is deemed to have had knowledge that the child was a student with a disability before the behavior precipitating disciplinary action occurred. If the District is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

- a. The Superintendent, Building Principal, or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
- b. A student will not be considered a student presumed to have a disability for discipline purposes if, after the District having had knowledge the student was a student with a disability:
 - 1) The parent of the student has not allowed the District to evaluate the student
 - 2) The parent of the student has refused services, or
 - 3) The District determined that the student is not a student with a disability.

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.

8. 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 their 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.
9. The parents of a student with a disability subject to a suspension of five (5) 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.
10. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five (5) 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.
11. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
12. 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.

Expedited Due Process Hearings

13. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this Code, if:
 - a. The District requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in their current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in their current educational placement during such

proceedings.

- b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - 1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the District agree otherwise.
 - 2) 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.
14. An expedited due process hearing shall occur within 20 days of receipt of the request for an expedited impartial hearing. The impartial hearing officer shall mail a copy of the written, or at the option of the parents, electronic findings of fact and the decision to the parents and the District within 10 school days after the hearing.

Referral to law enforcement and judicial authorities

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

15. 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.
16. 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.

STUDENT SEARCHES AND QUESTIONING OF STUDENTS

The Board is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary consequence on a student may question a student about an alleged violation of law or the Code. Students are not entitled to any "Miranda warning" (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 against them; and that the individual has the right to the presence of an attorney, either retained or appointed) before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell students why they are being questioned.

A student may be searched and prohibited items seized on school grounds or in a school building by an authorized District official only when the authorized official has reasonable suspicion to believe the student has engaged in or is engaging in activity which is in violation of the law and/or the Code.

The reasonableness of any search involves a twofold inquiry: 1) School officials must first determine whether the action was justified at its inception, and 2) determine whether the search, as actually conducted, was reasonably related in scope to the circumstances which justified the interference in the first place. Factors to be considered in determining whether reasonable suspicion exists to search a student include the student's age, school record and past history, the predominance and

seriousness of the problem in the school where the search is directed, the probative value and reliability of the information used as a justification for the search, the school official's prior knowledge of and experience with the student; and the urgency to conduct the search without delay.

If reasonable suspicion exists to believe that a student has violated or is violating the law and/or school rules, it is permissible for an authorized school official to search that student's outer clothing, pockets, or property. The search may include, but is not limited to, the student's outer clothing such as a jacket or coat, pockets, backpack, and/or purse. Whenever possible, searches will be conducted by a staff member of the same sex as the student and another staff member will be present as a witness. School officials, whenever possible, will seek the least intrusive means to conduct a search to safeguard the privacy interests of students in their person and property. Searches should also be limited to the extent necessary to locate the evidence sought.

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

Searches of School Property (Lockers, Desks, and other District-owned property)

The rules in this Code regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces loaned by the District to students remain the property of the District, and may be opened and inspected by school employees at any time without prior notice and without prior consent. Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over this property. The purpose of these searches, when they occur, is to ensure the safety of students, faculty, and staff, enhance school security and prevent disruptions of the learning environment. However, a student's personal belongings contained within a locker, desk, etc. are subject to the reasonable suspicion standard for searches by an authorized school official.

Strip Searches

A strip search is a search that requires a student to remove any or all of their clothing, other than an outer coat or jacket. In general, the Board prohibits district staff from conducting strip searches. If school officials have highly credible evidence that such a search would prevent danger or yield evidence, such a search may be conducted under exigent circumstances if authorized by the Superintendent. In the alternative, if school authorities believe there is an emergency situation that could threaten the safety of others, the student will, to the extent practicable, be isolated and secured. Strip searches may only be conducted by an authorized school official of the same gender as the student being searched and in the presence of another District professional employee who is also of the same gender as the student. The District will attempt to notify the student's parent/guardian by telephone before conducting a strip search, or in writing after the fact if the parent could not be reached by telephone. Police will also be contacted as appropriate.

Parent Notification

The student's parent or guardian will be notified if any illegal, prohibited, or dangerous articles or materials are found in the student's locker, vehicle, or other property or possessions, or on the student's person, as a result of a search.

Documentation of Searches

The designated school official conducting the search will be responsible for the custody, control and disposition of any illegal, prohibited or dangerous items taken from the student. The school official or designee must clearly label each item taken from the student and retain control of the item(s) until the item(s) is turned over to the police or secured by alternate means.

The school official will also be responsible for promptly documenting information about the search including, but not limited to, the following:

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

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, school officials may conduct investigations concerning reports of misconduct including, but 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 outside the presence of other students, by the appropriate school administrator(s). While a student's parent or guardian may be contacted, school officials are not required to contact a student's parent before questioning the student. The degree, if any, of parental or 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 by police authorities as otherwise permitted by law. Similarly, the questioning of students by school officials does not negate the right or responsibility of school officials to contact appropriate law enforcement agencies, as necessary, with regard to statements given by students to school officials.

As explained above, school officials acting alone and on their own authority, without the involvement of or on behalf of law enforcement officials are not required to give the so-called "Miranda warnings" prior to the questioning of students.

Law Enforcement Officials

A cooperative effort will be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned 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 officers is necessary to prevent injury to persons or property. Administrators have the responsibility and authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions.

Questioning of Students by Law Enforcement

Generally, police authorities may only interview students on school premises without the permission of the parent or 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 that have been committed on school property or at a school function. 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 must address the matter directly with the student's parent or guardian.

Whenever police wish to question a student on school premises, administration will attempt to notify the student's parent or guardian before questioning. When possible, questioning of a student by police will take place in a private area outside the presence of other students but will be in the presence of the Building Principal or designee.

School Resource Officers

The District may utilize School Resource Officers (SROs), i.e., law enforcement officers who work within the school building. There are different types of SROs: those employed by the District and those employed by local law enforcement. SROs, acting in their capacity as law enforcement, are held to a different search standard than District staff. Searches by law enforcement SROs must be justified by probable cause, not the District's standard of reasonable suspicion. District staff need to clearly establish who is initiating and conducting a search, the District or law enforcement, and that the appropriate standard for the search has been met.

Child Protective Services

Occasionally, Child Protective Services (CPS) may desire to conduct interviews of students on school property. These interviews generally pertain to allegations of suspected child abuse or maltreatment. Consistent with the District's commitment to keep students safe from harm and the mandated obligation of school officials to report to CPS when they have a reasonable cause to suspect that a student has been abused or maltreated, the Board encourages cooperation with CPS with respect to access to records and access to any child named as a victim, any of the victim's siblings, or any other child residing in the same home as the named victim, in accordance with applicable law.

All requests by CPS to interview a student on school property will be made directly to the Principal. The Principal will decide if it is necessary and appropriate for a school official to be present during the interview or to observe the interview from another room. If the nature of the allegations is such that it may be necessary for the student to remove any of their clothing in order for the CPS worker to verify the allegations, the school nurse or other District medical personnel must be present during that portion of the interview. No student may be required to remove their clothing in front of a CPS worker or District official of the opposite sex. CPS and any of its team members must comply with the District's Code and any other applicable policies or procedures. In the absence of a court order, a CPS worker may not remove a student from school property, unless the worker reasonably believes that the student would be subject to danger of abuse if they were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's/guardian's consent.

SCHOOL BUS CONDUCT RULES AND REGULATIONS

The most important element of school bus transportation is the safety of students. In order to achieve a safe and efficient system, drivers must have the cooperation of all student riders. The Board has established certain rules and regulations which must be obeyed in order to ensure safety. Video and audio cameras will be on school buses in order to record any violations.

1. The school bus driver is completely in charge when transporting students. All instructions given shall be followed and students will cooperate with the driver.
2. Conduct on the school bus shall be of the same high standard as expected in the classroom. All school rules in effect while in the classroom shall also apply while students are on the bus. Students shall be courteous to fellow riders and their bus driver. Prohibited conduct including, but not limited to, fighting, punching, obscene language or gestures, harassment, and discrimination will not be tolerated and will be cause for disciplinary action.
3. Students must be ready and on time for boarding the bus each morning. Drivers cannot wait for each student in order to maintain a strict time schedule. Please be ready!
4. Students shall wait until the bus comes to a full stop before entering the roadway to board the bus or before leaving their seat to get off the bus.
5. Students should use extreme caution when getting on or off the bus. When crossing the highway, wait for the driver to signal to do so and cross 10 feet from the front of the bus.
6. Students shall always take a seat upon boarding a bus and remain seated at all times while the bus is in motion.
7. Bus drivers have the authority to assign seats at any time.
8. Students are to keep arms and heads inside of the bus at all times. Bus windows shall be kept shut unless permission to open them is given by the bus driver. Throwing objects out of bus windows is not tolerated.
9. Possession of illegal drugs, alcohol, and cigarettes, smoking or the use of tobacco, or taking medication by students on the school bus is strictly prohibited at all times, unless approved by the school nurse. Eating of food and drinking of beverages is not permitted on the bus, with the exception of water.
10. Non-approved electronic devices, glass items, weapons, and other dangerous objects are prohibited on the bus. Also, bulky items, pets and/or animals should not be brought on the bus unless with permission granted ahead of time by the Principal.
11. Buses must be kept clean at all times. Each student has the duty and responsibility to see that they do not litter.
12. Students shall remain on the bus until it arrives at school or at home. Drivers will not let students off upon request unless a pass is obtained from the Building Principal for a change in riding status and given to the driver. A parent's written request is required for any change from one bus to another or for a change in pick-up or drop-off point. The request from the parent must be presented in the school office before noon on the day it is to be used.

The foregoing rules are made for the safety and benefit of all students. Unfortunately, there may be students who will not or do not abide by the rules. In the event of violations, the Board has established the following discipline system:

- a. Oral warning by the bus driver and/or Head Bus driver notification.
- b. Written referral to the Building Administrator. If disciplinary action or suspension is warranted, parent notification.
- c. Multiple incidents will result in a parent conference with a school administrator to determine eligibility for continued transportation.
- d. School authorities may remove a student's bus privileges at any time if the offense is serious enough to warrant such action, regardless of the number of violations. Examples include, but are not limited to, fighting, repeated offenses and insubordination.
- e. Exclusive of the oral warnings, parents will be notified of bus incidents and violations.
- f. Bus drivers are allowed to deny a student the privilege of riding for one day pending investigation of conduct by the Building Principal and/or the Head Bus Driver. Head Bus Driver must be notified immediately by the bus driver in cases of one day student removal, and the bus driver must notify parent on the same day prior to denying the student of riding privileges. Alternate transportation will be arranged in any such event.

BUS DRILLS

To ensure bus safety, the New York State Education Department requires three (3) school bus drills during each school year. The drills involve instruction by the bus driver as to methods of exit from the bus in case of accident, location and use of fire extinguishers, and location of first aid kits. Other safety factors, such as crossing, roadways, seating, behavior, as well as boarding and exiting exercises, are reviewed and conducted.

DISSEMINATION OF CODE OF CONDUCT

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

- Providing copies of a summary of the Code to all students at a general assembly held at the beginning of each school year.
- Making copies of the Code available to all parents at the beginning of the school year.
- Mailing a summary of the Code 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.
- 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.
- Providing all new employees with a copy of the current Code when they are first hired. Making copies of the Code available for review by students, parents and other community members. The District will provide an in-service education program for all District staff members to ensure the effective implementation of the Code. 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 will review this Code 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 violations. The committee will be made up of a student representative, teacher representative, administrator representative, and representatives of parent organizations, school safety personnel and other school personnel.
- Before adopting any revisions to the Code, the Board will hold at least one public hearing at which school personnel, parents, students, and any other interested party may participate.
- The District shall post the Code and any amendments on the District's website. The District shall file a copy of its Code with the Commissioner not later than 30 days after adoption.
- The Code will be made available to students at each building level and will be posted on the District website.

APPENDIX A: DEFINITIONS

In accordance with the Dignity for All Students Act, 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.

Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, bullying, discriminating, teasing, intimidating, or threatening another student or District staff by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or website postings (including blogs) which have the effect of:

1. Physically, emotionally, or mentally harming a student.
2. Placing a student in reasonable fear of physical, emotional, or mental harm.
3. Placing a student in reasonable fear of damage to or loss of personal property.
4. Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.
5. Creating or foreseeably creating a risk of substantial disruption within the school environment, where it is foreseeable that the off campus conduct, threats, communication, or abuse might reach school property.

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.

Employee means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to Title 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, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

Gender means actual or perceived sex and includes a person's gender identity or expression.

Harassment and/or **Bullying** means the creation of a hostile environment by conduct or by threats, intimidation, or abuse, including cyberbullying, 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 well-being; or reasonably causes or would reasonably be expected to cause a student to fear for their physical safety; or reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include, but not be limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability; sexual orientation, gender or sex. For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and nonverbal actions.

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.

School Function means any District or school sponsored event or activity.

School Property or School Premises means in or within any District building, structure, school equipment, including computers, electronics, etc., athletic playing field, playground, parking lot, or land contained within the real property boundary line or a public elementary or secondary school of the District; or in or on a school bus.

Sexual Activity includes inappropriate behavior of a sexual nature, such as indecent exposure, forcible or consensual sexual contact, sexual intercourse, oral sex, or possession of sexually explicit material of any kind on school property, on a school bus, or at a school function

Sexual Orientation means actual or perceived heterosexuality, homosexuality, or bisexuality.

Violent Student means any person enrolled as a student who commits an act of violence upon any District staff or attempts to do so; commits, while on school premises or at a school function, an act of violence upon another student or other person lawfully on school premises or at the school function, or attempts to do so; possesses, displays, or threatens to use a weapon or what appears to be a weapon while on school premises or at a school function; Knowingly and intentionally damages or destroys personal property belonging to others on school property or at a school function; Knowingly and intentionally damages or destroys school property.

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

APPENDIX B: ATHLETIC CODE

I. PHILOSOPHY

The Red Creek Central School District recognizes that its interscholastic athletic program is an integral part of the entire educational process. The District's goals are to develop a competitive athletic program and to instill quality athletic education and lifetime values in all students who wish to participate. These values include sportsmanship, wellness, and high academic achievement for the development of lifetime skills, which will ensure that students/athletes become productive members of society. Students who participate in athletics should realize that they have an obligation to themselves, their teammates, their coaches, their school, and their community to strive for excellence. Participation in athletics also demands a commitment, which implies sacrifice and dedication. This is required of not only student athletes, but also of coaches and parents.

It should also be recognized that involvement in interscholastic athletics is a privilege. District students who participate in interscholastic activities are expected to conform to the standards which meet or exceed the requirements of the District's general Code of Conduct. In addition, respect for one's health and physical development must be an integral part of an Athlete's daily living.

In addition to fulfilling building level requirements to earn athletic participation eligibility, students will be expected to meet the expectations detailed below.

This Athletic Code of Conduct ("Training Rules") shall apply on a year-round basis, including summers and between seasons, not just during the seasons of the sport(s) in which a student participates.

II. REQUIRED CONDUCT

Any Middle or High School student who wants to participate on an athletic team, including players, managers, and cheerleaders ("Athlete") during the school year must:

- A. Demonstrate **citizenship**. It is expected that as representatives of the District and its community, Athletes demonstrate citizenship both in and out of the contest involved. Citizenship includes but is not limited to, exemplifying good manners and respect for all on and off the field, keeping commitments to the team(s), showing team spirit, encouraging others and contributing to good morale, putting the good of the team ahead of personal gain, working well with teammates to achieve team goals, accepting responsibility to set a good example for teammates, younger athletes, fans and the school community, and keeping in mind that improper behavior while representing the District (in and out of uniform) reflects poorly not only upon oneself but upon the Red Creek District and Community.
- B. Demonstrate **sportsmanship**. Sportsmanship involves appropriate respect towards coaches, fellow players, opponents, officials and spectators, e.g., not engaging in "trash talk" or other put downs of opponents or teammates on or off the field, actively supporting other teammates and others, playing by the rules of the game, not cheating, refraining from outbursts and/or the use of vulgar, profane or unkind language.
- C. Maintain daily school attendance. To be eligible to participate in a scheduled practice or athletic contest, unless specific permission is granted by an Administrator or upon providing a valid written excuse, Athletes must be in school for at least half a day and not sent home ill.

- D. Attend all scheduled practices and athletic contests. The New York State Public Athletic Association outlines the required number of practices needed prior to entering a scrimmage and/or contest for each sport. In addition, each coach will set up his or her own rules on practice requirements. Coaches will provide for students/athletes a practice schedule, practice attendance requirements, general team rules and consequences for rule violations. Athletes are expected to be at every practice and game. Missing practice or game may be reason for suspension from contests based upon a coach's discretion. Athletes must discuss known potential conflicts with their coaches prior to the conflict arising.
- E. To maintain the appropriate physical conditioning Athletes under disciplinary review for an alleged violation will continue to participate as a member of the team unless otherwise directed by the principal and/or Athletic Director. Coaches will keep attendance records and may issue consequences for unexcused absences from practice(s) or games.
- F. Abide by the District's Code of Conduct and understand that a violation of the Code may result in suspension from participation in athletic activity in addition to any other penalty imposed by the District.
- G. Unless suspended from school, Athletes who are suspended from participating in athletic contests must continue attending practice/suit up and attend all contest and team functions unless otherwise directed by the Athletic Director or Principal.

Disregard for citizenship and/or sportsmanship can result in disciplinary action from the coach, Athletic Director, Principal or Superintendent depending on the severity of the behavior

III. PROHIBITED CONDUCT

In addition to the above rules, Athletes may not engage or attempt to engage in any of the following conduct any time or place: use, possess, sell, share or otherwise distribute tobacco in any form (e.g., smoking, chewing, e-cigarettes), cannabis in any form, alcohol or other illegal drugs or non-prescribed controlled substances (e.g., cocaine, steroids), or performance enhancing substances.

Further, Athletes must abide by District Policy No. 7553 and may not participate (actively or passively) in any hazing or initiation events of any form, at any time or place.

IV. ENFORCEMENT: PROCEDURES AND CONSEQUENCES

Athletes who violate the District's Code of Conduct or these Training Rules will face consequences. Further, an Athlete who is placed on in-school suspension or out-of-school suspension will be considered suspended from all activities, including athletics. Athletes may resume participation when they have successfully completed their suspension.

Depending on the severity, seriousness, type of and combination of violations, the discipline imposed may be more severe than that which is identified below. Further, Administration, Coaches, and/or the Athletic Director reserve the right to consider extenuating circumstances and evaluate each case on an individual basis. For example, an Athlete's honesty and/or self-admission may be considered when evaluating a potential consequence.

The consequences for violating any of the rules outlined in these rules will be implemented by individual coaches, and where warranted, will be in consultation with the Athletic Director, building Principal, and/or Superintendent. The below demonstrates guidelines the District will refer to in imposing discipline, which may be in addition to any consequences imposed by a building Principal or Superintendent for violations of the District's Code of Conduct.

District Administration and/or individual coaches also reserve the right to rule on any other infraction not specifically covered above, including violations of specific team rules.

Violations of these training rules shall be cumulative, meaning that violations shall be counted and accumulate throughout grades 7-8 and begin again when a student enters High School. Violations by Athletes in grades 9-12 shall also be counted cumulatively.

In addition to the consequences set forth below, for each violation, unless notice is provided pursuant to the District's Code of Conduct, the Athlete's parent(s)/guardian(s) will receive notice of the alleged violation from the building Principal or Athletic Director. Additionally, upon request, the parent/guardian will have the opportunity to discuss the alleged violation with the individual imposing the discipline (e.g., Coach, Principal, Athletic Director and/or Superintendent).

For all offenses, in addition to the consequences listed below, Athletes may be required to perform community service or may be referred for mandatory counseling. Further, for serious violations of the District's Code of Conduct, Athletes may be subject to permanent suspension from participation in the District's athletic program.

First Offense

- Suspension from 25% of athletic contests (scrimmages are not contests). (Fractions shall be rounded up to the nearest whole number).

Second Offense

- **Suspension from all athletic contests for the remainder of the season, including any post season. If less than 25% of total scheduled contests remain, the suspension may carry over into Athlete's next season of participation.**
- For a second offense related to drugs or alcohol (i.e., substance abuse), the Athlete will be referred to a school psychologist or designee to assess the depth of the involvement with the abused substance. A written report will be sent to the Athletic Director with a determination as to whether a need for further counseling or rehabilitation exists. Depending on the results of the assessment and/or the Athlete's progress in rehabilitation and/or counseling, the suspension from participation may be reduced by the Athletic Director in consultation with the coach, building Principal and/or Superintendent.

Third Offense

- **Suspension from all participation in athletics for one year from the date of the violation.**
- Reinstatement for substance abuse offenses may be considered during the year of suspension after an Athlete successfully completes a state licensed, accredited counseling program (cost to be borne by parent/guardian). If necessary, the District will make available related counseling through the District's school psychologist or designee. Suspension may be reduced at the discretion of the Athletic Director if an Athlete participates as directed and signs a "No Use" contract, which shall be signed by the Athlete and the Athlete's parent(s)/guardian(s).

Fourth Offense

- The Athlete may be subject to a permanent suspension from athletic activity in the District.

Other Behavioral Rules

Athletes may not practice or play in contests on any day they are assigned any of the following:

- Extended detention
- In-school suspension
- Out-of-school suspension

Further, an athlete who is placed on in-school suspension or out-of-school suspension will be considered suspended from all activities, including athletics, until reinstated.

V. ACADEMIC ELIGIBILITY.

- A. At the beginning of each sports season, each coach shall formally counsel his/her Athletes regarding the expected academic progress required for participation in athletics. For a complete description of academic eligibility standards and processes, please refer to the High School and Middle School student handbooks.
- B. Athletes will have their academic performance continually evaluated and all coaches will be periodically notified of their team's academic progress through the receipt of a report at the 5, 10, 15, 20, 25, 30 and 35 week marks indicating the academic standing of each of their Athletes.
- C. To be eligible to participate in athletics, Athletes must maintain good academic standing.
 - **High School:** Athletes who are failing two classes (i.e., less than 65%) will be considered **ineligible** to participate in athletics until a new report shows the Athlete is in good academic standing.
 - **Middle School.** All students who receive a grade lower than 65 and receive Comment 105 ("Student is ineligible for the next five weeks") in two or more subjects OR the same subject for two consecutive grade report periods will be **ineligible** to participate in athletics until a new report shows the Athlete is in good academic standing or earned a "T". To earn a "T", a student must:
 - i. Stay after school at least one time per week during 10th period in each subject area of ineligibility
 - ii. Have turned in all missing, late, back assignments and lessons during the marking period
 - iii. Come prepared for class each day with Chromebook, writing utensils and class materials; and
 - iv. Use a Google Form to track eligibility progress
- D. Athletes who are not in good academic standing at the beginning of the sport season, may not try out for a team. If the team does not require a tryout period, the Athlete may be permitted to join the team when he/she achieves good academic standing and obtains approval from the coach.
- E. Athletes who require extra academic help at a time that conflicts with a scheduled practice shall provide their coach with a note from the detaining teacher. Athletes with such note

shall not be denied the ability to participate during the remaining practice time for that day.

- F. Students who are academically ineligible will continue to practice with their team but may not compete in any contests. Ineligible Athletes shall also continue to support their respective teams by being present on the bench during contests but may not be in uniform.
- G. **STUDENTS WITH DISABILITIES.** Students with disabilities, pursuant to the Individuals with Disabilities Education Act, and/or Section 504 of the Rehabilitation Act, shall be afforded an equal opportunity to participate in interscholastic athletics. All of the eligibility requirements shall apply to students with disabilities in a manner equal to their non-disabled peers. Requests for accommodations shall be considered on a case-by-case basis. Please note the District is not required to offer any accommodations that would fundamentally alter the nature of an interscholastic athletic activity or impose an undue financial burden.

VI. QUITTING A TEAM. Students have a two-week period at the start of each sports season in which they can determine whether or not they wish to continue the season. After the two-week drop period, no Athlete shall quit or withdraw from a team without first talking with his/her coach to explain the reasons for leaving the team. If an Athlete wishes to terminate participation on an athletic team after the roster is posted, the Athlete must speak with the respective coach to request a conference between the coach, the student, the parent/guardian, and the Athletic Director to determine whether the Athlete will continue his/her participation.

Students who decide to quit a team during the season will forfeit all privileges for awards and may jeopardize their ability to participate in the future.

VII. RETURN OF EQUIPMENT. Athletes assume personal responsibility for all assigned equipment and uniforms. This includes the responsibility to launder uniforms during and at the conclusion of each season. All school-issued equipment/uniforms must be returned to the team coach at the conclusion of the season or as otherwise directed. Athletes who lose school-issued equipment/uniforms may be held responsible for replacement costs. Failure to turn in assigned equipment/uniforms or to pay required replacement costs may result in the inability to participate in athletics for the next sports season.

VII. TRANSPORTATION. Athletes are expected to ride the bus to and from athletic events. Requests for an Athlete to ride home with parent(s)/guardians must be submitted in writing to the Athletic Director no later than 24 hours in advance of the event and must indicate the Athlete's name, the date and location of the event. Parent(s)/guardian(s) must also sign out the Athlete with the team coach at the event. Under no circumstances will student Athletes be permitted to drive themselves or ride with another student Athlete.

RED CREEK CENTRAL SCHOOL
PO Box 190, South Street Red Creek, NY 13143
(315) 754-2040

ATHLETIC CREED

I, _____, wish to participate in the athletic program provided by the Red Creek Central School. I realize that this is both an honor and a privilege.

I have read and will uphold the Athletic Training Rules. As a team member, I represent this organization and realize my conduct reflects not only myself, but my school, coach, teammates and family. I realize that being an athlete is a full-time responsibility and does not end when I leave the match or training session.

I am aware that the coaches will keep an attendance record of my involvement with this team. I understand that there will be consequences for missing practice(s) or games that will be outlined by the coach.

I will keep myself groomed in a fashion outlined by the coach. The coach will discuss with the team and myself what will be acceptable when a member of this team is representing the school and community.

I understand that participation in school athletics is a privilege that is earned only after adequate academic performance. I will prioritize my academics throughout the athletic season to ensure that I maintain appropriate performance and scores.

I understand that I am responsible for laundering my uniform and will turn it in at the end of the season in clean condition.

I realize that once I earn a position on a team, I may not switch to another sport during that season. If I quit a team, I realize that I forfeit all privileges for awards and may jeopardize my chances for future participation.

I realize that any violation of the "Athlete's Creed" will result in disciplinary action as outlined in the Athletic Training Rules and that four (4) offenses throughout grades 9-12 deem me ineligible for the remainder of my years at Red Creek.

Student Signature

Date

TO PARENT OR GUARDIAN:

I have read and fully understand these regulations.

I will do my best to help _____ uphold these regulations and will support the coach, Athletic Director and school when enforcement of these rules is necessary.

I realize that any violation of the "Athlete's Creed" will result in disciplinary action as outlined in the Athletic Training Rules and that four (4) offenses throughout grades 7-12 deem my child ineligible for the remainder of his/her years at Red Creek.

(Signature of Parent/Guardian) _____

ATHLETIC AWARDS

1. All students/athletes who participate on a junior high team and complete this season in good standing will receive a junior high participation award.
2. All students/athletes who participate on a junior varsity team and complete the season in good standing will receive a junior varsity participation award.
3. To earn a block RC varsity letter, a student/athlete must complete the season in good standing if a member of a team sport. (soccer, basketball, baseball/softball, bowling, cheerleading, volleyball)
4. An accumulation of six (6) varsity letters will qualify an athlete for the senior award.

ACKNOWLEDGEMENT OF RISK

_____ has my permission to participate in (Student's Name)

during the _____ season.
(Name of Sport) (Year)

My child has viewed the film, Informed Consent. The purpose of this film is to make students and parents aware of the risks and injuries common to physical activity and athletic participation.

I realize there is a possibility that my child may suffer mild to severe injury, paralysis or death, as a result of participating in physical activities during physical education class, intramurals or interschool athletic competition.

Student Signature Date

Parent Signature Date