(X) Required
( ) Local
( ) Notice

CODE OF CONDUCT

I. Introduction

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

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

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

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

II. Definitions

For purposes of this Code, the following definitions apply.

"Disability" means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily 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.

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

"Employee" means any person receiving compensation from the School District or employee of a contracted service provider or worker placed with the school under a public assistance employment program, pursuant to Title 9-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.

As per New York State Law, "Gender" means actual or perceived sex and shall include a person's gender identity or expression.

"Harassment" and "Bullying" means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or (b) reasonably causes or would reasonably be expected to cause a student to fear for their physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying include, but are not 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 purposes of this definition the term "threats, intimidation or abuse" includes verbal and non-verbal actions.

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

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

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

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

"School Bus" means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or privately owned and operated-for-compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

"School function" means any school-sponsored extra-curricular event or activity on or off school property, including any activity that may take place in another state (per Education Law 2801 (1).)

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

"Sexual orientation" means actual or perceived heterosexuality, homosexuality, asexuality or bisexuality.

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

1. Commits or threatens to commit an act of violence upon a school.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, threatens or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon, such as a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school District property.

"Weapon" means a firearm as defined in 18 USC S 921 for purposes of the Gun-Free Schools Act. It also includes but is not limited to any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

III. Student Rights and Responsibilities

A. Student Rights

The District is committed to safeguarding the rights given to all students under state and federal law and District policy. In addition, to promote a safe, healthy, orderly, and supportive school environment, all District students have the right to:

1. Attend school from age 6 until the age of 21 or the student graduates from school, which comes first. Students must attend school to age 16. Students below the age of 16 will be provided instruction if excluded from school at the frequency required by the Education Law.

2. Participate in all District activities on an equal basis and not be subjected to discrimination based on their actual or perceived race, weight, color, national origin, ethnic group, religion, religious practice, gender, sex, sex orientation, or disability by school employees or students on school property or at a school-sponsored function.
3. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty. Each student shall have the right to be informed of the infraction for which the student is charged. The principal or designee may question a student in regard to a possible violation of school rules.
4. Access school policies, regulations, and rules and, when necessary, receive an explanation of those rules from school personnel.
5. Proceed in a safe, supportive, and orderly school atmosphere without the fear

of threat to their well-being.

B. Student Responsibilities

All District students have the responsibility to:

1. Promote a safe, supportive and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Maintain behavior free from all forms of harassment, bullying and/or discrimination.
3. Be familiar with and abide by District policies, rules and regulations dealing with student conduct.
4. Cooperate with school authorities in the investigation of Code of Conduct violations.
5. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn. In this regard, students are required to be aware of the District's Attendance Policy and comply with it.
6. Be prepared both mentally and physically for participation in class instruction.
7. Perform the academic work assigned to them.
8. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
9. React respectfully and positively to direction(s) given by teachers, administrators and other school personnel.
10. Work to develop mechanisms to manage their anger.
11. Ask questions when they do not understand the Code of Conduct.
12. Seek help in solving problems.
13. Dress appropriately for school and school functions.
14. Accept responsibility for their actions.
15. Conduct themselves as representatives of the District when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

IV. Essential Partners

Our community consists of many essential partners who work together on behalf of each and every child. It is imperative that all of these individuals and groups maintain open, clear, and timely communication with one another in order to provide all of our students with a safe and supportive environment in which to learn.

A. Parents/Persons in Parental Relation

All parents/persons in parental relation are expected to:

1. Become familiar with the Code of Conduct and other applicable policies, rules, and regulations regarding students.
2. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community and collaborate with the District to optimize their child's educational opportunities.
3. Send their children to school ready to participate and learn.

4. Ensure their children attend school regularly and on time.
5. Ensure absences and tardiness are excused, as per the District's Attendance Policy.
6. Insist their children be dressed and groomed in a manner consistent with the student dress code.
7. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, supportive and orderly environment.
8. Serve as role models for their children with respect to appropriate behavior.
9. Know school rules and help their children understand them so that their children can help create a safe, supportive school environment.
10. Convey to their children a supportive attitude toward education and the District.
11. Build positive, constructive relationships with teachers, other parents and their children's friends through a climate of mutual respect and dignity.
12. Help their children deal effectively with peer pressure.
13. Inform school officials of changes in the home situation that may affect student conduct or performance.
14. Provide a place for study and ensure homework assignments are completed.
15. Respond to communications from teachers and/or administrators.
16. Act in a respectful manner toward teachers, administrators and other school personnel.
17. Bring any concerns of bullying, harassment or discrimination to the attention of the appropriate school official.

B. Teachers

All District teachers are expected to:

1. Become familiar with the District's Code of Conduct and other applicable policies, rules, and regulations regarding students.
2. 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, or gender, which will strengthen students' self-concept and promote confidence to learn.
3. Serve as role models for students with respect to appropriate behavior.
4. Be prepared to teach.
5. Demonstrate interest in teaching and concern for student achievement.
6. Know school policies and rules, and enforce them in a fair and consistent manner.
7. Maintain confidentiality in conformity with federal and state law.
8. Communicate to students and parents in writing and electronically:

    a. Course objectives and requirements
    b. Marking/grading procedures
    c. Assignment deadlines
    d. Expectations for students
    e. Classroom discipline policy.

9. Communicate regularly with students, parents, coaches, advisors, and other teachers concerning growth and achievement.

10. Implement behavior intervention plans, Section 504 plans, and Individual Education Programs as they relate to discipline of students with disabilities.

11. Take appropriate action when they observe conduct which violates the Code of Conduct, whether in or out of the classroom setting.
12. Be involved in professional development.
13. Participate in school-wide efforts to provide adequate supervision in all school spaces.
14. Address issues of discrimination, harassment and bullying or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function or which creates a hostile environment.
15. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
16. Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

C. School Counselors, School Psychologists, Social Workers

1. Become familiar with the Code of Conduct and other applicable policies, rules and regulations regarding students.
2. 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, or sex which will strengthen students' self-concept and promote confidence to learn.
3. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
4. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
5. Regularly review with students their educational progress and career plans.
6. Maintain confidentiality in accordance with federal and state law.
7. Provide information to assist students with career planning.
8. Encourage students to benefit from the curriculum and extracurricular programs
9. Make known to students and families the resources in the community that are available to meet their needs.
10. Participate in school-wide efforts to provide adequate supervision in all school spaces.
11. Address issues of discrimination, harassment, and bullying or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which creates a hostile environment.
12. Address personal biases that may prevent equal treatment of all students.
13. Report incidents of discrimination and/or harassment that are witnessed or otherwise brought to their attention in a timely manner.
14. Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

D. Other School Personnel

1. Become familiar with the Code of Conduct and other regulations regarding students.
2. 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 or sex.
3. Maintain confidentiality in accordance with federal and state law.
4. Help children understand the District's expectations for maintaining a safe, supportive and orderly environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students.
8. Report incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner.
9. Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

E. Principals/Assistant Principals

1. Become familiar with the Code of Conduct and other applicable policies, rules, and regulations regarding students.
2. Promote a safe, supportive orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
3. Ensure that students and staff have the opportunity to communicate regularly with the Principal/Assistant Principals and approach the Principal/Assistant Principals for redress of grievances.
4. Maintain confidentiality in accordance with federal and state law.
5. Evaluate on a regular basis all instructional programs to ensure infusion of civility education in the curriculum.
6. Support the development of and student participation in appropriate extracurricular activities.
7. Provide support in the development of the Code of Conduct, when called upon. Disseminate the Code of Conduct and anti-harassment policies.
8. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
9. Participate in school-wide efforts to provide adequate supervision in all school spaces.
10. Address issues of discrimination, harassment, and bullying, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which creates a hostile environment.
11. Address personal biases that may prevent equal treatment of all students and staff.
12. Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the

incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

F. The Dignity Act Coordinator (DAC) ***(identified Assistant Principal in each building)***

1. Become familiar with the Code of Conduct and other applicable policies, rules, and regulations regarding students.
2. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
3. Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.
4. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
5. Coordinate, with the Professional Development Committee, training in support of the bullying prevention committee.
6. Be responsible for monitoring and reporting on the effectiveness of the District's bullying prevention and intervention policy.
7. Address and investigate issues of discrimination, harassment, and bullying, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which creates a hostile environment.
8. Address personal biases that may prevent equal treatment of all students.
9. If not the school official designated to receive complaints, shall promptly make an oral report of incidents of discrimination, bullying and harassment that are witnessed or otherwise brought to a Dignity Act Coordinator's attention, to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

G. Superintendent

1. Become familiar with the Code of Conduct and other applicable policies, rules, and regulations regarding students.
2. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
3. Review with District administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
4. Inform the Board of Education about educational trends relating to student discipline.
5. Maintain confidentiality in accordance with federal and state law.
6. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
7. Work with District administrators to enforce the Code of Conduct and ensure that all cases are resolved promptly and fairly.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces.

9. Address issues of discrimination, harassment, and bullying, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which creates a hostile environment.
10. Address personal biases that may prevent equal treatment of all students and staff.
11. If not the school official designated to receive complaints, shall promptly make an oral report of incidents of discrimination, bullying and harassment that are witnessed or otherwise brought to a Dignity Act Coordinator's attention, to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to the attention and file a written report with the designated school official not later than two days after making the oral report.

H. Board of Education

1. Become familiar with the Code of Conduct and other applicable policies, rules, and regulations regarding students.
2. Promote a safe, supportive, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
3. Maintain confidentiality in accordance with federal and state law.
4. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the Code of Conduct.
5. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, District personnel and visitors on school property and at school functions.
6. Adopt and review at least annually the District's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
7. Lead by example by conducting Board of Education meetings in a professional, respectful, courteous manner.
8. Address issues of discrimination, harassment and bullying, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which creates a hostile environment.
9. Address personal biases that may prevent equal treatment of all students and staff.
10. Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

V. Student Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other District personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting and at school functions (per Education Law 2801 (2).)

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

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that abbreviated clothing is not appropriate school attire.
3. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
4. Not include the wearing of hats on the elementary level in the classroom except for a medical or religious purpose.
5. Not include items that are lewd, obscene, discriminatory, violent, and libelous or denigrate others based on a person's actual or perceived race, color, weight, ethnic group, national origin, religion, religious practice, gender, sex, sexual orientation, or disability.
6. Not promote and/or endorse the use of alcohol, tobacco products or illegal drugs and/or encourage other illegal or violent activities.
7. Not incite violence or other illegal acts.
8. Not include items of clothing that designate, by virtue of its color, arrangement, trademark or any other attribute, prohibitive group or gang identification.
9. Include safety wear such as goggles in labs, and appropriate physical education footwear.
10. Not include sunglasses unless they are a medical necessity.

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

The building Principal or designee shall have the authority to require a student to change their attire should it be deemed inappropriate according to the above guidelines. Parents will be notified of the dress code infraction. Any student who refuses to modify their clothing 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.

VI. Prohibited Student Conduct

The desired objective of the Board of Education is not to punish but to create an atmosphere that encourages a child to develop positive behavior in both schools and in the community. The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, District personnel and other members of the school community, and for the care of school facilities and equipment.

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

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

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

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

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

1. Running or other unsafe behavior in hallways.
2. Making unreasonable noise which interferes with the educational environment.
3. Engaging in rough or unsafe physical interactions.
4. Using language or gestures that are profane, lewd, vulgar or abusive.
5. Obstructing vehicular or pedestrian traffic.
6. Engaging in any willful act which disrupts the normal operation of the instructional process and/or school community.
7. Bringing in any item to school that disrupts the educational process.
8. 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.
9. Misuse of computer/electronic communications/personal devices, including but not limited to, any unauthorized use of cell phones, smartwatches, iPads, iPods, cameras, PDAs, Smart Glasses (including AI prescription glasses) or other portable and hand-held devices, computers, software, or internet/intranet account; accessing inappropriate websites; any computer/electronic/personal device communication from a non-school site that could pose disruption to the school community; or any other violation of the District's acceptable use policy.
10. Disrespecting others.

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

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating belligerence or disrespect.
2. Lateness for, missing or leaving school without permission.
3. Not being in an assigned place on school premises.
4. Not complying with prescribed disciplinary measures (i.e. failure to serve assigned detention.)

C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
2. Inappropriate public sexual conduct.

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

1. Committing an act of violence (such as hitting, kicking, punching, pushing, and scratching) upon a teacher, administrator or other school employee, another student or any other person lawfully on school property, attempting or threatening to do so, or instigating, intimidating or harassing others to do so.
2. Commits or threatens to commit an act of violence upon a school.
3. Possessing a weapon while on school property or at a school function. 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. Gangs or gang-related activity on District premises, in school buses, and at school-related activities and events.
7. Knowingly or intentionally damaging or destroying the personal property of a student, teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.
8. Intentionally damaging or destroying school District property.

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

1. Attempting to engage in or perform an act of violence noted in Section D above.
2. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function, to danger or recklessly engaging in conduct which creates a substantial risk of physical injury.
3. Possessing, storing and/or operating e-bikes, e-scooters, other motorized micromobility personal transportation devices or other small, electric- or battery-powered transportation devices not registered as motor vehicles on school property, including parking lots and walkways.
4. Lying to school personnel.
5. 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.
6. 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.
7. Discrimination, which includes using the person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, gender (including gender identity and expression), sex, or sexual orientation, as a basis for treating another in a negative manner or to deny them rights, equitable treatment or access to facilities, activities or benefits which are available to others.
8. Harassment, as defined in the "Definitions" section of this Policy, but which

includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group, which are intended to be or which a reasonable person would perceive as ridiculing or demeaning.

9. Sexual harassment is prohibited by law. Unwelcome sexual advances, requests for sexual favors, or other written, nonverbal or physical conduct of a sexual nature may constitute sexual harassment. Complaints regarding sexual harassment may be made directly to the Assistant Superintendent for Curriculum, Instruction, and Innovation, or the Assistant Superintendent for Business and Operations, who are Title IX Coordinators.
10. Intimidation, threatening, coercion or extortion, which includes engaging in actions or statements that put an individual in fear of bodily harm.
11. Bullying, as defined in the "Definitions" section of this Code of Conduct.
12. Cyberbullying, as defined in the "Definitions" section of this Code of Conduct.
13. Hazing, which includes an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.
14. Posting, distributing or selling obscene, libelous or commercial material.
15. Using vulgar or abusive language or gestures, cursing or swearing as well as slurs that refer to a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, gender, sex, or sexual orientation.
16. Smoking or being in possession of a cigarette, electronic cigarette, vape device, cigar, pipe or using chewing or smokeless tobacco, or smoking/vaping/ingesting cannabis or concentrated cannabis (includes cannabis products) or smoking cannabinoid hemp (except for lawful medical cannabis use in compliance with state law and regulation).
17. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either illegal substances including, but not limited to, inhalants, marijuana, synthetic cannabinoids (synthetic 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 drug" 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. and any substances commonly referred to as "designer drugs."
18. Inappropriately possessing, selling, using or sharing prescription and over-the-counter drugs.
19. Gambling shall be prohibited on all school grounds, at school sponsored or supervised events, or while off school grounds during the school day. Gambling includes, but is not limited to: games of chance (lotteries, raffles, athletic pools), dice or card playing, betting, bookmaking and/or possession of any device used to promote gambling (betting sheets, dice, cards, pool sheets).
20. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
21. Initiating a report warning of fire, bomb, or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
22. Making a verbal, written or physical threat against the school, another student or

member of the staff, said in jest or not.
23. Violation of another individual's civil rights.
24. Violate any federal or state statute, local ordinance or Board of Education policy.

F. Engage in misconduct otherwise prohibited by sections A-E of this section while on a school bus and to remain seated, keep objects and body parts inside the bus, and obey the directions from the bus driver or monitor. It is crucial for students to behave appropriately while riding on District buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, wrestling and fighting or other conduct in violation of the Code of Conduct will not be tolerated.

G. Engage in any form of academic misconduct/dishonesty.

Definition of Academic Misconduct/Dishonesty

Academic misconduct/dishonesty can be defined as engaging in any deceptive behavior that undermines the climate of the school, the professional relationship between teacher and student, and the school's mission to foster respect and responsibility. Plagiarism, cheating, stealing and lying are examples of academic misconduct/dishonesty.

Examples of academic misconduct/dishonesty include, but are not limited to:

1. Plagiarism. This is the use of the words or ideas of another without giving credit to the author. Students should credit the authors of information, be it from written, audio, video or computer sources, including where generative artificial intelligence is used. Plagiarism includes but is not limited to presenting other's work as one's own work without proper credit to the author, borrowing the sequence of ideas, the arrangement of materials or the pattern of thought of another with proper credit, having another person complete one's essay, paper, project or assignment, cutting and pasting text or ideas from a text written by another or generative artificial intelligence, among others.
2. Cheating. This is a form of academic misconduct/dishonesty in which a student tries to get a better grade by using dishonest or unscrupulous methods, including but not limited to, copying or permitting others to copy assignments, giving or receiving information during the completion of an assignment or test, taking test material out of test room where not permitted, copying test questions, answers or other material for use at a later time for self or others, among others.
3. Stealing. Stealing encompasses, but is not limited to the following: Taking or appropriating without the right or permission to do so and with the intent to keep or make wrongful use of the schoolwork or materials of another student or the instructional materials of a teacher. Some examples are stealing copies of tests or quizzes, illegitimately accessing the teacher's answer key for tests or quizzes, stealing the teacher's edition of the textbook, stealing another student's homework, notes, or handouts.
4. Lying. This encompasses but is not limited to the willful and knowledgeable telling of a falsehood or untruth as well as any form of deceit or fraud and an attempt to deceive or defraud in a written or oral statement. Examples include failing to give complete information to a teacher, staff or administrator, faking illness to gain extra preparation time for tests, quizzes or assignments or gain other advantage over peers,

among others.

5. Altering or falsifying records.
6. Violating the High School/Middle School Integrity Code.
7. Assisting another student in any of the above actions.

The academic misconduct/dishonesty examples listed above is not intended to be an all-inclusive list; other conduct of a similar nature can also be the subject of discipline.

H. Engage in misconduct while using technology. Examples of such misconduct include, but are not limited to:

1. Violating any federal or state law.
2. Displaying, performing, sending, receiving, or storing any content that is obscene, inappropriate, offensive, or otherwise objectionable, even if the material or its dissemination is lawful.
3. Harassing any person or advocating or encouraging violence of any kind against any person, entity or government.
4. Infringing, violating or misappropriating another's rights.
5. Obtaining unauthorized access to, or interfering by any means with, any user, system, network, service or account, including evasion of filters or violation of the security or integrity of any network or system.
6. Distributing computer viruses or malware of any kind.
7. Sending, receiving or supporting email messages that are unsolicited, deceptive, anonymous, excessively voluminous or that contain falsified identifying information, including spamming and phishing.
8. Violating the School District's Acceptable Use Policy.

I. Engage in off-campus misconduct that interferes with, or that creates or would foreseeably create a risk of substantial disruption the educational process in the school or at a school function; or endangers the health and safety or morals of students or staff within the school. Examples of such misconduct include, but are not limited to:

1. Cyberbullying, as defined in the "Definitions" section of this Code of Conduct.
2. Threatening, hazing, or harassing students or school personnel at public places, over the phone, or through other electronic media.
3. Using message boards to convey threats, derogatory comments, or post pornographic or inappropriate pictures of students or school personnel.

VII. Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a teacher, counselor, school psychologist, social worker, the building Principal or designee, or other school personnel. Any student observing a student possessing a weapon, alcohol or illegal substance, making a threat or exhibiting behavior which may endanger the safety of others or disrupt the security of the building, on school property or at a school function, shall report this information immediately to a teacher, the building Principal, the Principal's designee or the Superintendent.

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

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

The Building Principal or his/her designee must notify the appropriate local law enforcement agency of Code violations, including but not limited to incidents of harassment, bullying, and/or discrimination which may 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 designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. This call will be followed by an entry in an internal log. The entry will note the time of the call, the person spoken to at the precinct, the details given and the person making the call. A follow-up call shall be made to the precinct the following day, again noted in the log. The building Principal is responsible for the submission of an incident report to the Superintendent concerning any serious violation of the Code of Conduct. The incident report can be found on the New York State Education website. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

Reporting Incidents of Discrimination, Harassment and Bullying

Students who have been bullied, harassed, and/or discriminated against, parents whose children have been bullied, harassed and/or discriminated against, or other students or staff who observe bullying, harassing and/or discriminating behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided, as well as any applicable District policies. (Refer to BOE Policy #0115, Student Bullying Prevention and Intervention, BOE Policy #0100, Equal Opportunity; and BOE Policy #5020.1, Sexual Harassment of Students).

Staff members must promptly make an oral report of all complaints of bullying, harassment, and discrimination that they receive from students or others, whether oral or written, as well as any instances of bullying, harassment or discrimination that they are aware of, to the school official designated to receive complaints not later than one school day after receipt of a report or witnessing an incident and shall file a written report with the school official designated to receive complaints, not later than two school days after making the oral report.

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

Dignity Act Coordinator Contact Information

The Board of Education will annually appoint a staff member at each school building who will

serve as the Dignity Act Coordinator (DAC). An Assistant Principal at each building serves as the DAC. The assistant principal at each building is the designated Dignity Act Coordinator.

Hewlett-Woodmere Public Schools

Dignity Act Coordinators --2026-2027

Franklin Early Childhood Center
Dignity Act Coordinator: Amy Pernick
Phone: (516) 792-4620
Email: apernick@hewlettwoodmere.net

Hewlett Elementary School
Dignity Act Coordinator: Reina Hall
Phone: (516) 792-4520
Email: rhall@hewlett-woodmere.net

Ogden Elementary School
Dignity Act Coordinator: TBD
Phone: (516) 792-4720
Email: TBD

Woodmere Middle School
Dignity Act Coordinator: Richard Mangeri, Ed.D.
Phone: (516) 792-4320
Email: rmangeri@hewlett-woodmere.net

George W. Hewlett High School
Dignity Act Coordinators:
Samantha-Lynn Mazzeo and Thomas Naglieri
Phone: (516) 792-4121
Email: smazzeo@hewlett-woodmere.net

District Dignity Act Coordinator: Patrick Fogarty, Ed.D.
Phone: (516) 792-4802
Email: danzalone@hewlett-woodmere.net

This information shall also be posted on the District's web site and included in the plain language summaries of the Code of Conduct provided to parents and students and shall be further disseminated in accordance with applicable law and regulation.

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

VIII. Disciplinary Penalties, Procedures and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

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

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

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to the student's disability. (See Section X).

A. Penalties

Students who are found to have violated the District's Code of Conduct may be subject to the following penalties, either alone or in combination.

1. Oral warning
2. Written warning
3. Written and/or oral notification to parent
4. Detention
5. Suspension from transportation
6. Suspension from athletic participation
7. Suspension from school, social or extracurricular activities
8. Suspension of other privileges
9. Removal from classroom by teacher
10. In-school suspension
11. Short-term (five days or less) suspension from school
12. Long-term (more than five days) suspension from school
13. Permanent suspension from school

B. Procedures

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

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

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

1. Detention

Teachers, Assistant Principals, Principals and the Superintendent may use before or after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that the student has appropriate transportation home following detention. Detention can be assigned during the school day on a student's free period.

2. Suspension from transportation

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

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law Sec. 3214. However, upon request, the student and the student's parent(s) will be provided with a reasonable opportunity for an informal conference with the building Principal or the Principal's designee to discuss the conduct and the penalty involved.

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

A student may be suspended from participation in athletics, co-curricular activities or other privileges as a result of misconduct or failure to meet eligibility requirements.

A student subjected to a suspension from athletic participation, extracurricular activities or other privileges is not entitled to a full hearing pursuant to Education Law Sec. 3214. However, upon request, the student and the student's parent(s) will be provided with a reasonable opportunity for an informal conference with the District official imposing the suspension to discuss the conduct and the penalty involved.

4. In-school suspension.

The Board of Education recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board of Education authorizes building Principals and the Superintendent to place students

who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension." The in-school suspension teacher will be a certified teacher or teaching assistant.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law Sec. 3214. However, upon request, the student and the student's parent(s) will be provided with a reasonable opportunity for an informal conference with the District official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher disciplinary removal of disruptive students.

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances, the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain their composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short- term break in an elementary classroom or in an administrator's office; (2) sending a student to the Principal's office; or (3) sending a student to a guidance counselor or other District staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this Code.

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

A classroom teacher may remove a disruptive student from class for up to two days per incident. The removal from class applies to the class of the removing teacher only. In the elementary schools, a student may be removed for no more than half a day for up to two days.

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

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

The teacher must complete a District-established disciplinary removal form (Exhibit 1) and meet with the Principal or designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form.

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

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

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

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

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

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

Teachers must complete the *Teacher Disciplinary Removal of a Student From Class Form* (Exhibit 1) for all cases of student removal from class. All "Teacher Removal from Class Forms" must be placed in the student's disciplinary folder.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from their class until he or she has verified with the appropriate administrator thereby ensuring the student's IEP is followed with fidelity.

6. Suspension from school.

Suspension from school includes exclusion from in-school instruction, as well as from any and all school sponsored activities whether on or off school grounds.

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent, or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of self and/or others. The Board of Education retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building Principals.

The Board of Education delegates such power to building Principals to suspend such students for a period not to exceed five (5) school days. In the absence of the building Principal, the Assistant Superintendent of Business and Operations, the Assistant Superintendent for Curriculum, Instruction and Innovation, and the Assistant Superintendent for Special Education and Student Support Services shall be deemed acting Principal for the purpose of suspending students for a period up to five school days.

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

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.

a. Short-term Suspension (5 school days or less)

When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law Sec. 3214(3), the suspending authority must immediately notify the student of the charge of misconduct. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the student's parent (s). Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

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

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

After the informal 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 business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within 20 calendar 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 of Education may be appealed to the Commissioner within 30 calendar days of the decision.

b. Long-term Suspension (more than 5 school days)

When the Superintendent or building Principal determines that a suspension for more than five days may be warranted, the Principal shall give reasonable notice to the student and the student's parents of their right to a fair hearing pursuant to Education Law Sec. 3214. Such notice shall include that, 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 own behalf.

The Superintendent shall personally hear and determine the proceeding or may, in the Superintendent's discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the guilt or innocence of the student and the appropriate measure of discipline, if any, 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 of Education that will make its decision based solely upon the record before it. All appeals to the Board of Education must be in writing and submitted to the District Clerk within 20 calendar days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board of Education may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board of Education may be appealed to the Commissioner within 30 days of the decision.

c. Permanent Suspension.

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school

personnel or any other person lawfully on school property or attending a school function.

d. Potential for Early Return

The Board of Education or the Superintendent, as its designee, may condition a student's early return from a suspension on the student's voluntary participation in evaluations, assessments, counseling or specialized classes, such as anger management or dispute resolution. The Board of Education retains the sole discretion in offering this opportunity. If and when the student and/or parent agrees to this option, the terms and conditions shall be specified in writing. However, if the student violates the agreed- upon terms and conditions within a certain time period, the unserved portion of the suspension may be re-imposed.

e. Procedure after Suspension

Upon a student's return from suspension, a "re-entry" meeting will be scheduled with the student, the student's parent/guardian (when possible) and appropriate school staff. The purpose of this meeting will be to support the student in making a successful return to the school environment.

C. Minimum Periods of Suspension

1. Students who bring or possess a weapon to school property

Any student, other than a student with a disability, found guilty of bringing a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death onto school property will 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 Sec. 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:

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

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

2. Students who commit violent acts other than bringing or possessing a weapon on school property.

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death onto school property, shall be subject to suspension from school for at least five 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.

3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom.

Any student other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least five days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law Sec. 3214(3-a) and this Code of Conduct on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five- day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to 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.

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

The District supports the development of measured, balanced and age-appropriate responses to the bullying, harassment and/or discrimination of students by students on school property, including school functions, with remedies and procedures focusing on prevention, intervention, and education and discipline. Responses will be reasonably calculated to end the harassment, bullying and/or discrimination, prevent recurrence, and eliminate the hostile environment. Remedies will be measured, balanced, progressive and age-appropriate and will take into consideration the nature and severity of the offending student's behavior, the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the offending student's behaviors had on the individual who was physically injured or emotionally harmed. Successful intervention may involve remediation.

Remedial responses to bullying, harassment and/or discrimination include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target of the act. Appropriate remedial measures may include, but are not limited to:

- Restorative justice practices;
- Peer support groups;
- Corrective instruction of other relevant learning or service experience;
- Changes in class schedule
- Supportive intervention;
- Behavioral management plans, that is closely monitored;

- Student counseling; or
- Parent conferences.

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

- School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- Modification of schedules;
- Adjustment in hallway traffic and other student routes of travel;
- Targeted use of monitors;
- Staff professional development;
- Parent education seminars/workshops and parent conferences
- Peer support groups.

If appropriate, disciplinary action will be taken by the administration in accordance with this policy, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted. Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy.

E. Referrals

1. Counseling

   The counselors, social workers and school psychologists shall handle all referrals of students to counseling.

2. PINS Petitions

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

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

3. Juvenile Delinquents and Juvenile Offenders

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

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

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

IX. Alternative Instruction

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

X. Discipline of Students with Disabilities

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

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

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply.

   a. A "suspension" means a suspension pursuant to Education Law Sec. 3214.
   b. A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
   c. An "IAES" means a temporary educational placement for a period of up to 45 days, determined by the Committee on Special Education (CSE), 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.

School personnel may order the suspension or removal of a student with a disability from their current educational placement as follows:

a. The Board of Education, the District or BOCES Superintendent of Schools or a building Principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
b. The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an appropriate IAES, another setting or suspension for a period not to exceed 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 school days, if the student either: (1) carries or possesses a weapon to or at school, on school premises or to a school function under the District's jurisdiction, or (2) the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the District's jurisdiction, or (3) the student has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the District's jurisdiction.

1. "Weapon" means the same as "dangerous weapon" under 18 U.S.C. S 930 (g)(w) which includes a "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than $2^1/_2$ inches in length."
2. "Controlled substance" means a drug or other substance identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC §812(c)).
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 his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:

a. For more than 10 consecutive school days; or
b. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another.

2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if (1) the CSE has determined that the behavior was not a manifestation of the student's disability, or (2) the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances or the infliction of serious bodily injury.

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

1. The District's Committee on Special Education shall:

   a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the District is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement and the conduct is a manifestation of the student's disability, also, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances or the infliction of serious bodily injury.

   b. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 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.

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

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

2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school District is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the District is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

   a. The Superintendent, building Principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.

   b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the District had knowledge the student was a student with a disability, the District either:

      1. conducted an individual evaluation and determined that the student is not a student with a disability, or

      2. Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

         If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

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

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

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

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

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

5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this Code.

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

7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this Code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's Regulations incorporated into this Code, if:

   a. The District requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
   b. The parent(s) requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

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.

2. The District will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in Part 201 of the Commissioner's Regulations. Those procedures include but are not limited to convening a resolution meeting, and initiating and completing the hearing within the timelines specified in those regulations.

E. Referral to law enforcement and judicial authorities

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

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

For more detailed information on disciplining students with disabilities, see Part 201 of the Regulations of the Commissioner of Education.

Corporal Punishment & the Use of Physical Force

The Board of Education asserts that corporal punishment is not an acceptable method of enforcing decorum, order or discipline, and that corporal punishment is contrary to the purposes of education. The Board of Education prohibits the use of corporal punishment by School District employees.

No teacher, administrator, officer, employee or agent in the School District shall use corporal punishment against a student. As used in this section, corporal punishment is defined as the use of physical force for the purpose of punishing a student, except as set forth below.

Emergency Interventions

If alternative procedures and methods which would not involve physical force do not work, then the use of reasonable physical force is not prohibited for the following reasons:

a. Self-protection;
b. Protection of others;
c. Protection of property; or
d. Restraining/removing a disruptive student.

Such emergency interventions shall only be used in situations where alternative procedures and methods not involving the use of reasonable physical force cannot reasonably be employed. Alternative procedures and methods not involving the use of physical force include:

a. the use of language which reduces hostility;
b. issuing clear directions to the offending student;
c. explaining the consequences of the student's actions to the student; and
d. enlisting the aid of another School District employee.

Emergency interventions shall not be used as a punishment or as a substitute for systematic behavioral interventions that are designed to change, replace, modify or eliminate a targeted behavior.

Staff who may be called upon to implement emergency interventions will be provided appropriate training in safe and effective restraint procedures. The parent(s) of the student shall be notified whenever an emergency intervention is utilized.

With respect to any and all incidents involving the use of physical force by a School District employee, the School District employee shall ensure that:

a. the dignity and integrity of the employee and his/her profession are maintained; and
b. the rights of the student have not been violated.

Whenever a school employee uses physical force against a student, the school employee shall, within the same school day, make a report to the Superintendent of Schools describing in detail the circumstances and the nature of the action taken.

The School District will maintain documentation on the use of emergency interventions for each student including:

a. Name and date of birth of student;
b. Setting and location of the incident;
c. Name of staff or other persons involved;
d. Description of the incident and emergency intervention used, including duration;
e. A statement as to whether the student has a current behavioral intervention plan; and
f. Details of any injuries sustained by the student or others, including staff, as a result of the incident.

This documentation will be reviewed by School District supervisory personnel and, if necessary, by the school nurse or other medical personnel.

A student who has been subjected to physical force by a School District employee or the parent(s)/guardian(s) of such a student may file a grievance in accordance with the procedures outlined in the School District's student grievance regulation. Any claim about the use of corporal punishment shall be submitted in writing by the complainant to the Superintendent of Schools. This written complaint will be forwarded to the School Attorney within seven (7) school days. The Superintendent of Schools or his/her designee shall investigate the complaint to determine whether an incident actually took place, and if so, to determine the identity of the person or persons who administered the corporal punishment, the identity of the student or students involved, reasons for the action and any other relevant facts or circumstances. Results of this investigation will be forwarded to the School Attorney upon completion of the investigation.

Reports shall be submitted to the Commissioner of Education on or before January 15 and July 15 of each year concerning complaints about the use of corporal punishment during the six (6) month reporting period. Such reports shall set forth the substance of each complaint, the results of the investigation and the action, if any, by the School District.

XI. Student Searches and Interrogations

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe, supportive and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student, including District Campus Patrol Security officers, may question a student about an alleged violation of law or the District Code of Conduct. In conducting a student search, the student's age and disciplinary record, the seriousness of the misconduct giving rise to the need to search and the exigency of the situation will be considered, along with potential other factors, such as the source of the information, its specificity, and any corroboration. School officials questioning students shall advise each student why he or she is being questioned. However, parents and students should be aware that school officials are under no obligation to contact a student's parent prior to questioning the student nor are the students entitled to be advised of their legal rights, i.e. "Miranda"-type warning, before being questioned by school officials as such rights only apply to situations where an individual is being questioned while in the custody of police.

In addition, the Board of Education authorizes the Superintendent, building Principals, Assistant Principals, the school nurse and District Campus Patrol Security Officers to conduct minimally intrusive searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the District Code of Conduct.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the District Code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

Strip Search

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

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

Vehicle Search

All vehicles entering school grounds shall be subject to search to ensure the safety and security of students, staff, and visitors. Students who request parking privileges on school grounds may be issued a parking permit subject to all applicable rules and regulations. If approved to park on the school campus, students shall have a lessened expectation of privacy for their personal vehicles on school property. Such vehicles shall be subject to search by authorized school officials and District Campus Patrol Security Officers.

Alcohol and Drugs

A student suspected of being under the influence of alcohol will be subject to questioning and a breathalyzer exam by a school official who has been trained to administer the exam.

Possessing, consuming, selling, distributing or exchanging alcoholic beverages, or illegal substances, or being under the influence of either alcohol, inhalants, marijuana, synthetic cannabinoids (synthetic 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 is strictly prohibited. The law enforcement agency having jurisdiction will be notified and asked to investigate any suspected illegal activity.

Student Lockers, Desks and other School Storage Places

Students have no reasonable expectation of privacy with respect to student lockers, desks and other school storage places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

XII. Visitors to the Schools

The Board of Education permits parents and other District citizens to visit the District's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building Principal

or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member of the District or student of the school will be considered a visitor.
2. All visitors to the school must report to the office of the Principal or designated security area upon arrival at the school. They will be required to register at the security desk and will be issued a visitor's identification sticker which must be worn at all times while in the school or on school grounds.
3. Visitors attending school functions that are open to the public are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teachers(s) and Principal, so that class disruption is kept to a minimum.
5. Teachers are expected teach and will not be able to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the Principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

XII. Public Conduct on School Property

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

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

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

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school District property or the personal property of a teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.

3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, discriminatory, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, bully, harass or discriminate against any person on the basis of actual or perceived race, color, weight, creed, national origin,
   ethnic group, religion, religious practice, age, gender, marital status, sex, sexual orientation, disability or gender, military status, predisposing genetic characteristics or domestic violence victim status.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person and/or vehicles in any place to which this Code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, store and/or operate e-bikes, e-scooters, other motorized micromobility personal transportation devices or other small, electric- or battery-powered transportation devices not registered as motor vehicles on school property, including parking lots and walkways.
10. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled or illegal substances or any synthetic versions (whether or not specifically illegal or labeled for human consumption) or be under the influence of either on school property or at a school function.
11. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers authorized in accordance with law.
12. Loiter on or about school property.
13. Gamble on school property without a proper license and/or for a purpose which is neither charitable nor educational.
14. Refuse to comply with any reasonable order of identifiable school District officials performing their duties.
15. Willfully incite others to commit any of the acts prohibited by this Code.
16. Enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized by others.
17. Without authority physically restrain, harass, detain or abuse any other person from any place where he/she is authorized to remain.
18. Bring animals on to school grounds without permission of the building Principal or Director of School Facilities and Operations, except as necessary for compliance with the ADA.
19. Violate any federal or state statute, local ordinance or Board of Education policy while on school property or while at a school function.
20. Smoke, or be in possession of a cigarette, cigar, pipe, electronic cigarette, vape device or use chewing or smokeless tobacco.

B. Penalties

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

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection. The Board of Education retains the sole discretion to suspend a visitor who violates this Code from school property and school-sponsored programs. Any visitor who damages District property may also be required to provide

restitution to the District.

2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with this Code of conduct and due process requirements.
3. Tenured employees/staff members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law Sec. 3020a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law Sec.75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law Sec. 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

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

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

XIII. Dissemination and Review

A. Dissemination of Code of Conduct

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

1. Providing copies of the Code to all students, in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year, or upon enrollment to school.
2. Mailing a summary of the Code of Conduct written in plain language to all parents of District students before the beginning of each school year and making this summary available later on request.

3. Posting a complete copy of the Code of Conduct, including any annual updates or amendments thereto, on the District's website.
4. Providing all teachers and other staff members with a complete copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption.
5. Providing all new employees with a complete copy of the current Code of Conduct when they are first hired.
6. Making complete copies of the Code available for review by students, parents or other persons in parental relation to students, other school staff and other community members.

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

B. Review of Code of Conduct

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

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

Before adopting any revisions to the Code, the Board of Education will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

Ref: Education Law Section 2801
Education Law Section 3214
Commissioner's Regulations, Section 100.2(1)
Rules of the Board of Regents, Section 19.5

Adopted: 6/28/01

Amended: 7/12/06; 6/20/07; 7/9/08; 2/9/09; 6/20/12; 6/17/15, 7/11/16, 7/5/17, 7/12/18, 4/16/19, 6/17/20, 5/18/22, 6/14/23, 6/12/24, 6/11/25, May 20, 2026

Annual Review: 6/17/09; 7/14/10; 5/18/11; 6/20/12; 6/18/14, 7/1/21, 6/14/23, 6/12/24, 6/11/25, 5/20/26
Effective – 7/1/26

Exhibit 1

Hewlett-Woodmere Public School

Teacher Disciplinary Removal of a Student from Class Form

Student's Name: **Date of Incident:**

Grade:_____Period:_____ Room:_____Subject:

Description of student's behavior resulting in teacher removal:

Date(s) student will be removed:

Actions the teacher has taken prior to this removal (include dates): _____
Warning to student

_____Conference with student

_____Phone call to parent

_____Letter home

_____Conference with:

□ **Pa r en t** □ **Chairperson** □ **Administrator** □ **Counselor**

_____Detention

_____Other:

Has teacher previously removed the student from class? yes ____no

Date(s):

Teacher's Signature: _____Principal's Signature:

Parent's notified on: _____**(telephone)**

(written notice)