# Code of Conduct

K -12 Student Version

Baldwin Union Free School District

Baldwin, New York 11510

Adopted: July 5, 2023
Revised: July 8, 2026

Dear Parents/Guardians:

New York State regulations require that every school district provide parents/guardians and students with a written code for student conduct and discipline. This booklet is provided to you as a summary of this information. For a complete copy of the District Code of Conduct, visit our website at www.baldwinschools.org. Select a school and then select "Our School."

Our Student Discipline Code was developed collaboratively by teachers, parents, and administrators with input from students. Its primary goal is to establish guidelines that create an environment that fosters mutual respect for students, parents, and all staff members; including administrators, teachers, teacher assistants/aides, nurses, secretarial/office staff, custodians and bus drivers. We strive to create a safe and secure learning environment in which all individuals are treated with respect and dignity. Our goals are to provide a safe and encouraging learning environment with high expectations in which all students can succeed and thrive.

In September, your child's teacher reviewed the components of this code and discussed classroom rules. You are encouraged to discuss the contents of this code with your child and to reinforce its positive goals. Adherence to these rules and guidelines will ensure that your child will have a successful year.

Respectfully,

*Stephanie Rengifo*

Stephanie Rengifo
Assistant Superintendent for Instruction

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# STUDENT DISCIPLINE CODE

## I. MISSION STATEMENT

The mission of the Baldwin Public Schools is to support students' academic, social, and moral growth to foster a lifelong commitment to learning, and to encourage responsible contributions to society. A partnership reflecting the high standards of supportive families, conscientious learners, committed staff, and an involved community will maximize potential for student success.

All schools in the Baldwin Union Free School District are committed to providing a safe and orderly environment where students may receive and staff delivers quality educational services without disruption or interference. This Code of Conduct, written for students, applies to all students, school personnel, parents and other visitors when on school property or attending a school function. We strive to create a positive learning environment in which all individuals are treated with respect and dignity.

## II. INTRODUCTION

This Code of Conduct has been written to follow the NYS SAVE Act and the NYS Dignity Act. The purpose of the Dignity Act is to give all students a safe and supportive environment that is free from discrimination, harassment, bullying, taunting, or intimidation. The district has a long-standing set of expectations for conduct on school property and at school functions. We understand the importance of clearly defining these expectations for acceptable conduct, identifying possible consequences, and making sure that discipline, when necessary, is given promptly, fairly and consistently.

Discipline is a process which encourages responsibility and caring for self and others. Our rules for discipline are firm, fair, and carried out with dignity. Each situation is an opportunity for the student to learn right from wrong and how to be a successful member of society.

## III. STUDENT RIGHTS

The district is responsible for and committed to making sure that the rights given to students under state and federal law are followed. All students have the right to be treated fairly with respect and dignity on an equal basis regardless of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity), or sex.

**A BILL OF RIGHTS AND RESPONSIBILITIES FOR ALL SCHOOL STUDENTS**

| | |
|---|---|
| RIGHT TO enjoy school and gain the respect and cooperation of class members and staff | RESPONSIBILITY TO treat classmates and staff as they would like to be treated themselves |
| RIGHT TO express feelings and opinions in a polite manner | RESPONSIBILITY TO listen to the feelings and opinions of others |
| RIGHT TO achieve according to ability | RESPONSIBILITY TO demonstrate effort and task application |
| RIGHT TO make mistakes in one's school work | RESPONSIBILITY TO try to do one's best and pay attention in class |
| RIGHT TO a quiet peaceful environment without being disturbed by others | RESPONSIBILITY TO use good manners, to follow school rules, and to be aware of penalties for misconduct |
| RIGHT TO participate in appropriate school related activities | RESPONSIBILITY TO behave correctly in these activities and to follow the rules |
| RIGHT TO use water fountain and bathroom | RESPONSIBILITY TO be honest about your needs |
| RIGHT TO enjoy lunchtime | RESPONSIBILITY TO not waste food whether eating at home or school. Respect parents and lunchroom aides |
| RIGHT TO attend a classroom and building that are clean and well kept | RESPONSIBILITY TO keep the classroom and building clean |
| RIGHT TO attend a safe school where safety rules are spelled out | RESPONSIBILITY TO help maintain order. Follow directions. Be alert, quiet and obedient in fire drills and in school evacuation drills |

## A BILL OF RIGHTS AND RESPONSIBILITIES FOR ALL SCHOOL STUDENTS (continued)

| | |
|---|---|
| RIGHT TO attend school free of physical or verbal abuse | RESPONSIBILITY TO exhibit good conduct in classrooms, in building, on school grounds, and in virtual learning environments |
| RIGHT TO receive school supplies, books, and materials | RESPONSIBILITY TO take care of school supplies, books, materials and equipment |
| RIGHT TO have work corrected and receive teacher evaluation | RESPONSIBILITY TO complete classwork and homework assignments and do your best work |
| RIGHT TO receive additional help with areas causing difficulty | RESPONSIBILITY TO inform teacher of your needs, attend extra-help sessions, and to do assignments |
| RIGHT TO receive help when necessary from school personnel about social/personal problems | RESPONSIBILITY TO accept advice and work on suggested solutions |
| RIGHT TO develop leadership qualities | RESPONSIBILITY TO treat peers with equality and fairness |

## IV. STUDENT RESPONSIBILITIES

All students in the district have the responsibility to:

1. Contribute to maintaining a safe, supportive and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Help make school a community free of violence intimidation, bullying, harassment, and discrimination.
3. Be familiar with and abide by district policies, rules, and regulations dealing with student conduct.
4. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
5. Work to the best of their ability in all academic and co-curricular pursuits and strive toward their highest level of achievement possible.
6. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
7. Work to develop skills to manage their emotions and reactions and resolve conflict with others.
8. Ask questions when they do not understand.
9. Seek help in solving problems.
10. Dress appropriately for school and school functions.
11. Accept responsibility for their actions.
12. Conduct themselves as representatives of the district when participating in or attending school-sponsored co-curricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
13. Wear their school identification with their photograph visible at all times.
14. During a Covid-19 or other health emergency, students may be required to complete a Self-Screening Attestation prior to arriving to school on a daily basis.
15. During the Covid-19 or other health emergencies, students must maintain appropriate social distancing and use of personal protective equipment as determined by the district must be worn if social distancing cannot be maintained.
16. If a student is learning remotely, the following virtual learning etiquette should be followed:

- When your teacher engages in live videoconferencing, please be aware that everyone involved in the session can see what is happening in the immediate area.
- Consider using headphones or earbuds while engaging with audio or video content as it will help focus on the learning and not on what's happening in the home.
- If possible, find a quiet space with limited surrounding activity so you can participate in the learning activities. It is helpful to mute their microphones upon entering a live session.

- Adults/siblings should not be present or interrupt any live session unless younger children need technological assistance.
- Students are prohibited from recording a videoconference session in any form.
- Students are prohibited from altering any content presented during remote learning.

- Students are prohibited from distributing in any manner any altered content in the event altered content is received.
- Students may not use school approved platforms for any purpose other than their intended use as directed by their teacher.
- Students are to use appropriate language at all times.
- Students must follow the teacher's instructions during the session.
- Students should dress in appropriate attire.
- Only teachers have permission to invite individuals to learning sessions. Students are not permitted to invite others to these sessions.

## V. STUDENT DRESS CODE

All students are expected to dress in an appropriate manner in school and at school functions. Student's dress, grooming and appearance shall:

1. Be safe, appropriate and not disrupt learning.
2. Recognize that extremely brief garments and see-through garments are not appropriate.
3. Ensure that underwear and midriffs are completely covered with outer clothing.
4. Wear appropriate footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not wear hats, bandannas, or other head coverings in class unless otherwise permitted for a school activity or for a medical or religious purpose.
6. Not include items that are vulgar, obscene, discriminatory, libelous or denigrate others based on a person's actual or perceived race, color, weight, religion, religious practice, national origin, ethnic group, gender, sex, sexual orientation, or disability.
7. Not wear clothing that promotes and/or endorses the use of alcohol, tobacco, or illegal drugs and/or encourages other illegal or violent activities.
8. Not include headphones or earpieces or other electronic devices at any time while on school property except for instructional purposes and in designated areas as directed by the teacher or administrator.
9. Include appropriate protective gear to classes where it is necessary (e.g., home economics, technology and science.)
10. Not include items of clothing that advocates a prohibitive group or gang identification or affiliation.
11. Not include jewelry that can be dangerous such as chains, spikes and other potentially dangerous ornaments.
12. Not include sunglasses unless a medical necessity.

## VI. PROHIBITED STUDENT CONDUCT

All students are expected to conduct themselves appropriately and with regard for the rights and welfare of other students, school personnel, and other members of the school community, and for the care of school property. The rules of conduct listed below are to make sure that all individuals are safe and the rights and property of others are respected. Students who do not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their behavior. Students will face logical consequences, including possible suspension from school, when they:

1. Engage in *bullying* or *harassing behaviors*.
   a. Discriminate and/or harass on the basis of race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, sexual orientation, or disability, thereby, significantly interfering with a student's educational performance; opportunities or benefits; conduct; and/or mental, emotional, or physical well-being.
   b. Bully (physically, verbally, socially), or cyber-bully (taking place in or affecting the school environment)
   c. Intimidate, harass, tease, taunt, haze, and/or threaten to hurt another student or adult in any form including online.

2. Engage in *disorderly behavior*.
   a. Run or scream in the hallway, lunchroom, auditorium, bathroom, or any classroom in the building.
   b. Use foul language, including cursing, swearing, or sexually suggestive language or make rude hand gestures.
   c. Violate the dress code as described above.
   d. Get in the way of motor vehicles or pedestrians.
   e. Misbehave on a school bus. This includes following the instructions of the bus driver at all times.
   f. Engage in any behavior that interferes with the normal activities of the school community.
   g. Trespass onto school property without permission from the administrator in charge of the building.
   h. Misuse computer/electronic communications, including using (without permission) computers, software or Internet accounts; using inappropriate websites; or any other inappropriate use of technology.

3. Engage in conduct that shows *disrespect* to any child or adult either attending or visiting the school or that is disruptive to the school.

a. Fail to listen to direction of the principal, teachers, or any school employees in charge of students.
b. Leave the classroom or school building without adult permission and/or supervision.

4. Engage in *violent behavior*.
   a. Hit, kick, punch, bite, scratch or do any means of physical harm to another student or any adult in the school building.
   b. Carry a weapon into the school including any object that can harm another person or that is seen as dangerous by the administrator of the school.
   c. Threaten to use a weapon.
   d. Damage or destroy personal property of another student or of an adult. This includes graffiti and destruction of school materials.

5. Engage in *dangerous behavior* that affects the safety or health of others.
   a. Lie to an adult in school.
   b. Steal the property of the school or any person in the school.
   c. Make false statements about others that could harm their reputation.
   d. Smoke or use, possess, distribute, sell or exchange alcoholic beverages or illegal drugs on school property.
   e. Inappropriate using or sharing of prescription and/or over-the-counter drugs.
   f. Gambling.
   g. Bring or use an e-bike, e-scooter, or other motorized transportation device on school property.
   h. Threats against the school.
   i. Indecent exposure.
   j. Making a false report of fire or other catastrophe, misuse of 911, or discharging a fire extinguisher or misuse of the panic button without cause.

6. Engage in academic misbehavior.
   a. Cheat on a test or assignment.
   b. Copy the work of another student or source without permission.
   c. Changing grades or records without permission.
   d. Assisting another student in any of the above actions.

7. Personal cell phones and electronic devices may be carried to school and used only when required by a teacher for educational purposes.

## VII. CONSEQUENCES

Practices which allow educators to address disciplinary matters as opportunities for learning instead of punishment are expected by the Board rather than a reliance on increasing punitive measures. When choosing interventions and consequences of student's behavior, teacher, administrators, and staff must balance the district's dual goals of eliminating school disruptions and maximizing student instruction time.

Students who are found to have demonstrated inappropriate behavior may be subject to the following interventions and consequences, either alone or in combination. The school personnel identified after each consequence are authorized to assign that consequence, consistent with the student's right to due process.

In conjunction with the list below, administration (with supports from counselors) can employ conflict resolution meetings, restitution to those harmed, and group, classroom, classroom, community, and/or re-entry circle. Except in limited circumstances, restorative justice practices will always be considered first in dealing with disciplinary issues.

Should a parent or student over the age of 18 opt out of participating in the restorative practices or if restorative practices have not been effective with the student in question, the list below will be utilized to determine consequences.

1. Oral warning - teacher/student conference, parent contact, in-class time out, brief time out of class, loss of classroom privileges –any member of the district staff.
2. Written warning - bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Superintendent.
3. Written notification to parent –bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Superintendent.
4. Detention – teachers, Principal, Superintendent.
5. Suspension from transportation – director of transportation, Principal, Superintendent.
6. Suspension from athletic participation – coaches, Principal, Athletic Director, Superintendent.
7. Suspension from social or extracurricular activities – activity director, Principal, Superintendent.
8. Suspension of other privileges– Principal, Superintendent.
9. In-school suspension – Principal, Superintendent.
10. Removal from classroom by teacher – teachers, Principal.
11. Short-term (five days or less) suspension from school – Principal, Superintendent, Board of Education.
12. Long-term (more than five days) suspension from school – Superintendent, Board of Education.
13. Permanent suspension from school – Superintendent, Board of Education

If an incident is considered to be an act of bullying, harassment, and discrimination the principal will consult the Dignity Act Coordinator (DAC). Reports of bullying, harassment, and discrimination will be promptly investigated in accordance with District policies and procedures. If the act is determined to be an act of harassment and/or discrimination, a formal incident report is completed and signed by the principal and appropriate disciplinary measures taken. There is an assigned Dignity Act Coordinator for the district, as well as a coordinator for each elementary school in the district

## VIII. DUE PROCESS AND MINIMUM PERIODS OF SUSPENSION

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

### 1. Short term (5 days or less) Suspension from School

When the Superintendent or Principal (hereinafter referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student of the charged misconduct. 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.

### 2. Long term (more than 5 days) Suspension from School

When the suspending authority determines that a suspension for more than five days may be warranted, the student will have the opportunity to have a fair hearing conducted in accordance with Education Law §3214. The suspending authority shall give reasonable notice to the student and the student's parents/persons in parental relation of their right to a fair hearing.

### 3. Minimum Period of Suspension

a. Students who bring or possess a weapon on school property: suspension from school for at least one calendar year. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis.
b. Students who commit violent acts other than bringing or possessing a weapon on school property: suspension from school for at least five days. The Superintendent has the authority to modify the suspension on a case-by-case basis.

c. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom: suspension from school for at least five days. The Superintendent has the authority to modify the suspension on a case-by-case basis.

## IX. DISCIPLINE OF STUDENTS WITH DISABILITIES

All students with disabilities are expected to follow the above Code of Conduct. The Baldwin Union Free School District is required by law to follow the Individualized Educational Program (IEP) of students with disabilities and must handle all disciplinary cases under IDEA and Article 89.

Discipline resulting in the removal of a student with disabilities, will be conducted in accordance with the due process procedures applicable to removal 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 manifestation team has determined that the behavior is not a manifestation of the student's disability.

## X. REPORTING VIOLATIONS

All students are expected to promptly report violations of the "Code of Conduct" to a teacher, guidance counselor or building administrator. Any student observing a student possessing a weapon, alcohol, illegal substance, or another violation of the "Code of Conduct" on school property or at a school function shall report this information immediately to a teacher, guidance counselor, or building administrator.

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

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

The building Principal or the Principal's designee must notify the appropriate local law enforcement agency of "Code" violations 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 the Principal's designee learns of the violation. The notification may be made by telephone, followed by a letter mailed home in a timely fashion. 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 or discriminated against, parents whose children have been bullied, harassed or discriminated against, or other students or staff who observe bullying, harassing 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 Harassment and Bullying Prevention and Intervention; BOE Policy 0100/2600 Equal Opportunity/Nondiscrimination; and BOE Policy 0110/2610/2620, Sexual Harassment.)

Dignity Act Coordinator Contact Information

The name and contact information for each school building's Dignity Act Coordinator is provided below:

| Name | School Building | Contact Information |
|---|---|---|
| Asst. Supt., Human Resources | District Office | 434-6030 |
| Asst. Supt., Instruction | District Office | 434-6020 |
| Assistant Principal | Senior High School | 434-6134 |
| Assistant Principal | Senior High School | 434-6103 |
| Principal | Middle School | 434-6201 |
| Principal | Brookside Elementary | 434-6301 |
| Principal | Lenox Elementary | 434-6401 |
| Principal | Meadow Elementary | 434-6501 |
| Principal | Plaza Elementary | 434-6601 |
| Principal | Steele Elementary | 434-6701 |

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 law and regulations.

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.

## GLOSSARY

The following definitions apply:

**"Bullying**" is unwanted aggressive behavior that is done on purpose and has the potential of being repeated over time. By going after someone to make him/her feel bad, the bully has a real or perceived sense of power. Bullying usually involves the following characteristics:

- An imbalance of power: children who bully use their power, such as physical strength, getting hold of embarrassing information, or popularity, to control or harm others. The imbalance of power can change over time and in different situations, even if they involve the same people.
- Intent to cause harm: the person bullying has a goal of causing harm.
- Repetition: bullying behaviors usually happen more than once or have the possibly of happening more than once.

Examples of bullying include, but are not limited to:

- Physical bullying (hitting, punching, shoving, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's things and making mean or rude hand gestures)
- Verbal bullying (teasing, name-calling, inappropriate sexual comments, taunting, threatening to cause harm, using vulgar or abusive language, cursing or swearing, as well as slurs that refer to race, color, weight, religion, gender, sexual orientation or disability)
- Social bullying (leaving someone out on purpose, spreading rumors about someone, gossiping, forming cliques, telling other children not to be friends with someone, and embarrassing someone in public).

**"Cyber-bullying**" is when you use technology, like email, instant messages, cell phones, blogs, chat rooms, pagers, and gaming systems, to purposefully make someone feel bad or feel threatened. Examples include, but are not limited to:

- Sending hurtful, rude, or mean text messages, or emails to others.
- Spreading rumors or lies about others by text message or email or posting on social networking sites.
- Creating or sharing pictures, websites, videos, or social media profiles, including fake profiles that embarrass, humiliate or make fun of others or impersonate someone else.

**"Sexting"** means sending, receiving, or forwarding sexually suggestive, nude, or nearly nude photos through social media.

## GLOSSARY (Continued)

**"Dignity Act"** is a New York State law that says that all students should be respected and treated fairly at all times by other students and adults and should not be made fun of or excluded because of their race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. (the 11 "protected classes")

**"Discrimination"** is not being respectful or fair to someone because of his or her race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

**"Employee"** is any person who works in or for the school.

**"Harassment"** is when someone bothers another person by verbal threats, threatening gestures, or intimidation, thereby causing a student to fear for his/her physical and/or emotional safety.

**"Hazing"** is when someone forces a person to do something dangerous or embarrassing in order for him/her to be accepted into a group.

**"Intimidation"** is frightening someone in order to make him/her do something.

**"School bus"** is any vehicle used to move students and/or staff to and from school or school activities.

**"School property"** means any area in and around the school, which is used by the school, including the playground, the bathrooms, hallways, lunchroom, athletic fields or the school bus.

"**Taunting"** is making fun of, insulting, or heckling another person.