Phelps-Clifton Springs Central School District



Code of Conduct

Phelps Clifton-Springs Central School District Code of Conduct

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5300.05 INTRODUCTION

The Phelps-Clifton Springs Central School District Board of Education is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

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

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

Unless otherwise indicated, this Code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

5300.10 Definitions

For purposes of the Code, the following definitions apply:

"Cyberbullying" means harassment/bullying, as defined below, through any form of electronic communication including, but not limited to, email, Instant messaging, blogs, chat rooms, cell phones, gaming systems and social media.

"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.

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

"Disruptive student" means 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 or an administrator's authority over a school building.

"Emotional harm" that takes place in the context of "harassment or 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.

"Employee" means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title 9-B of article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

"Gender" means a person's actual or perceived sex and shall include a person's gender identity or expression.

"Gender expression" is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

"Gender identity" is one's self-conception of their gender, whether or not such self-conception is different from that traditionally associated with the person's physiological sex or sex assigned at birth.

"Harassment/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 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.

For purposes of this definition, the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. "Emotional harm" that takes place in the context of "harassment or 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.

Acts of harassment and bullying that are prohibited include those acts based on a person's actual or perceived membership in the following groups including, but not limited to:

- race
- color
- weight
- natural hair or hair style
- national origin
- ethnic origin
- ethnic group
- religion
- religious practice
- disability
- sex
- sexual orientation
- gender (which includes a person's actual or perceived sex, as well as gender identity and expression)
- any other legally protected status

"**Hazing**" is defined to mean committing an act against a student, or coercing a student into committing an act, that creates a risk of emotional, physical or psychological harm to the student, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term "hazing" includes, but is not limited to: humiliating, degrading or dangerous activities; substance abuse of alcohol, tobacco or illegal drugs; any activity that intimidates or threatens the student with ostracism, or adversely affects the health or safety of the student; or any activity that causes or requires the student to perform a task or act that is a violation of state or federal law or district policies/regulations.

"**Illegal Substances**" include, but are not limited to, alcohol, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs, look-alike drugs (including but not limited to synthetic cannabinoids), prescription or over-the-counter drugs when possession is unauthorized or such are inappropriately used or shared with others, and any product which, when misused, will result in an impaired or altered state; as well as any drug-related paraphernalia.

"**Material Incident of Harassment, Bullying and/or Discrimination**" means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, and is the subject of a written or oral complaint to the Superintendent, Principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.

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

"Retaliation" means the actions of an employee, student, or visitor that mistreats any person because they have reported, testified about, or otherwise assisted in an investigation, proceeding or hearing concerning alleged harassment or bullying or a student disciplinary matter. An individual may be found to have engaged in prohibited retaliation even if the underlying complaint is determined to be unfounded. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment or inducing a third party to take such actions and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.

"School Bus" means every motor vehicle owned by a public or government 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 event or extra-curricular activity.

"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, including property owned by the District or used by the District for school activities or functions, or in or on a school bus..

"School rules" means all District and Board of Education policies, rules, regulations and procedures, including this Code.

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

"Student" means any person between the ages of 4 and 21 who is enrolled in an educational program.

"**Tobacco Product**" means any vaping or nicotine-containing devices and parts or accessories to such devices and any other tobacco-containing product in any form, as well as matches, lighters and other related paraphernalia. This also includes any simulated tobacco products that imitate or mimic tobacco products.

"**Under the Influence**" A student shall be considered "under the influence" if they have used any quantity of an Illegal Substance within a time period reasonably proximate to their presence on school property, on a school bus, in a school vehicle, or at a school function and/or exhibits symptoms of such use as to lead to the reasonable conclusion of such consumption.

"Violent pupil" means a student under 21 who:

1. Commits an act of violence upon a school employee, or attempts to do so.

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, or attempts to do so.

3. Possesses, while on school property or at a school function, a weapon.

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 student, 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 §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, ammunition, 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, look-a-like, toy or replica/fake weapon, or other device, instrument, material or substance ("Other Item") that can cause physical injury or death when such Other Item is used to cause physical injury or death, or when such Other Item is brandished as a weapon

5300.15 Student Rights and Responsibilities

A. Student Rights

The Phelps-Clifton Springs Central School 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.To learn in a safe and supportive environment.

2. Take part in all District activities on an equal basis regardless of race, weight, color, creed, national origin, ethnic group, religion, religious practice, gender or sexual orientation, disability or other legally protected class.

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.

4. Access school policies, regulations, and rules and, when necessary, receive an explanation of those rules from school personnel.

B. Student Responsibilities

All District students have the responsibility to:

1. Act in an empathetic and respectful manner toward others while on school property.

2. Contribute to maintaining a safe, supportive and orderly school environment that is conducive to learning.

3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.

4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.

5. Ask questions when they do not understand.

6. Seek help in solving problems.

7. Dress appropriately for school and school functions (as outlined in respective handbooks).

8. Accept responsibility for their actions.

9. Be familiar with and abide by District policies, rules and regulations dealing with student conduct.

10. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.

11. Work to develop mechanisms to regulate their emotions.

12. 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.

13. Inform school officials of knowledge of potential safety issues.

14. Promptly report violations of the Code of Conduct to a teacher, school counselor, administrator, or appropriate staff member.

15. Use technology resources, including the Internet and email, in a responsible manner.

5300.20 Essential Partners

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community and collaborate with the District to optimize their child's educational opportunities.

2. Send their children to school ready to participate and learn.

3. Ensure their children attend school regularly and on time.

4. Ensure absences are excused.

5. Ensure their children be dressed and groomed in a manner consistent with the student dress Code (policy 5300.25).

6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.

7. Know school rules and help their children understand them so that their children can help create a safe, supportive school environment.

8. Convey to their children a supportive attitude toward education and the District.

9. Build positive, constructive relationships with teachers, other parents and their children's friends.

10. Help their children deal effectively with peer pressure.

11. Inform school officials of changes in the home situation that may affect student conduct or performance.

12. Provide a place for study and ensure homework assignments are completed.

13. Inform school officials of knowledge of potential safety issues.

14. Promptly report violations of the Code of conduct to a teacher, school counselor, administrator or appropriate staff member.

B. Teachers

All District teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression), which will strengthen students' self-concept and promote confidence to learn.

2. Know school policies and rules and enforce them in a fair and consistent manner.

3. Be prepared to teach.

4. Demonstrate interest in teaching and concern for student achievement.

5. Communicate to students and parents:

a) Course objectives and requirements

b) Marking/grading procedures

c) Assignment deadlines

d) Expectations for students

e) Classroom discipline plan

6. Communicate regularly with students, parents and other teachers concerning students' growth and achievement.

7. Maintain confidentiality in accordance with federal and state law.

8. Work towards strengthening students' social and emotional well being.

9. Inform school officials of knowledge of potential safety issues.

10. Work with administrators in enforcing the Code of Conduct and ensuring that all issues are addressed promptly and fairly.

11. Promptly report violations of the Code of Conduct to a school counselor, administrator or appropriate staff member.

12. Participate in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law (Public Employees Fair Employment Act).

13. Address issues of 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.

14. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

C. School Counselors

All school counselors are expected to:

1. Maintain a climate of mutual respect and dignity for all regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression), which will strengthen students' self-concept and promote confidence to learn.

2. Know school policies and rules, and enforce them in a fair and consistent manner.

3. Encourage students to benefit from the curriculum and extracurricular programs.

4. Assist students in coping with peer pressure and emerging personal, social and emotional problems.

5. Work towards strengthening students' social and emotional wellbeing.

6. Initiate conferences, with necessary parties, as a way to resolve problems.

7. Regularly review with students their educational progress and career plans.

8. Maintain confidentiality in accordance with federal and state law.

9. Provide information to assist students with career planning.

10. Make known to students and families the resources in the community that are available to meet their needs.

11. Inform school officials of knowledge of potential safety issues.

12. Work with administrators in enforcing the Code of Conduct and ensuring that all issues are addressed promptly and fairly.

13. Participate in school-wide efforts to provide adequate supervision in all school spaces.

14. Address issues of 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.

15. Address personal biases that may prevent equal treatment of all students.

D. School Resource Officer ("SRO")

The School Resource Officer is expected to:

1. Maintain a climate of mutual respect and dignity for all regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression), which will strengthen students' self-concept and promote confidence to learn.

2. Know school policies and rules, and enforce them in a fair and consistent manner.

3. Promote a safe and orderly school environment.

4. Educate students, staff and parents on matters of safety and law.

5. Work towards strengthening students' social and emotional well being.

6. Assist students in coping with peer pressure and emerging personal problems.

7. Ensure that students, staff, and parents have the opportunity to communicate regularly with the SRO and to approach the SRO for resolution of conflicts.

8. Maintain confidentiality in accordance with federal and state law.

9. Inform administration of knowledge of potential safety issues.

10. Be responsible for enforcing matters of law and ensuring that all issues are addressed promptly and fairly.

11. Work with the Superintendent and administrators in enforcing the Code of Conduct and ensuring that all issues are addressed promptly and fairly; however, the SRO shall not act as a school disciplinarian.

12. Participate in school-wide efforts to provide adequate supervision in all school spaces.

13. Address issues of 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.

14. Address personal biases that may prevent equal treatment of all students.

E. Other School Personnel

All other school personnel are expected to:

1. Maintain a climate of mutual respect and dignity for all regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression), which will strengthen students' self-concept and promote confidence to learn.

2. Know school policies and rules, and enforce them in a fair and consistent manner.

3. Maintain confidentiality in accordance with federal and state law.

4. Inform school officials of knowledge of potential safety issues.

5. Work with administrators in enforcing the Code of Conduct and ensuring that all issues are addressed promptly and fairly.

6. Help children understand the District's expectations for maintaining a safe, orderly environment.

7. Participate in school-wide efforts to provide adequate supervision in all school spaces.

8. Address issues of 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.

9. Address personal biases that may prevent equal treatment of all students.

F. District Administrators

District administrators are expected to:

1. Maintain a climate of mutual respect and dignity for all regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression), which will strengthen students' self-concept and promote confidence to learn.

2. Know school policies and rules and enforce them in a fair and consistent manner.

3. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.

4. Support the development of and student participation in appropriate extracurricular activities.

5. Evaluate all instructional programs on a regular basis.

6. Ensure that students, staff, and parents have the opportunity to communicate regularly with administrators and to approach administrators for resolution of conflicts.

7. Maintain confidentiality in accordance with federal and state law.

8. Review Board policies and state/federal laws relating to school operations and management.

9. Provide support in the development of the Code of Conduct, when called upon. Disseminate the Code of Conduct and anti-harassment policies.

10. Work with the Superintendent in enforcing the Code of Conduct and ensuring that all issues are addressed promptly and fairly.

11. Participate in school-wide efforts to provide adequate supervision in all school spaces.

12. Address issues of 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.

13. Address personal biases that may prevent equal treatment of all students and staff.

G. Superintendent

The Superintendent is expected to:

1. Maintain a climate of mutual respect and dignity for all regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression), which will strengthen students' self-concept and promote confidence to learn.

2. Know school policies and rules and enforce them in a fair and consistent manner.

3. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.

4. Support the development of and student participation in appropriate extracurricular activities.

5. Evaluate all instructional programs on a regular basis.

6. Ensure that students, staff, and parents have the opportunity to communicate regularly with administrators and to approach administrators for resolution of conflicts.

7. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.

8. Review with District administrators Board of Education policies and state/federal laws relating to school operations and management.

9. Maintain confidentiality in accordance with federal and state law.

10. Inform the Board about educational trends relating to student discipline.

11. Work with District administrators in enforcing the Code of Conduct and ensuring that all issues are resolved promptly and fairly.

12. Participate in school-wide efforts to provide adequate supervision in all school spaces.

13. Address issues of 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.

14. Address personal biases that may prevent equal treatment of all students and staff.

H. Board of Education

Members of the Board of Education are expected to:

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning for all regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).

2. Maintain confidentiality in accordance with federal and state law.

3. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the Code of Conduct.

4. Know school policies and rules and enforce them in a fair and consistent manner.

5. Collaborate with students, teachers, administrators, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, District personnel and visitors on school property and at school functions.

6. Adopt and review the District's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation annually.

7. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.

8. Address issues of 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.

9. Address personal biases that may prevent equal treatment of all students and staff.

5300.25 Student Dress Code

The responsibility for the dress and appearance of individuals shall rest with the individual. They have the right to determine how they dress, provided that such attire complies with requirements for health and safety, does not interfere with the educational process, or impose on the rights of others and are not destructive to school property.

An individual's dress, grooming and appearance shall:

1. Be safe, appropriate, and not disrupt or interfere with the educational process (e.g., a hood may not be covering the head).

2. Recognize that extremely brief garments that reveal or expose skin between upper chest and mid-thigh or expose undergarments are not appropriate. All tops must have over the shoulder straps.

3. Discourage the wearing of hats, bandanas, hoods, or headwear in the school except for a medical or religious purpose.

4. Include appropriate footwear at all times. Footwear that is deemed a safety hazard will not be allowed.

5. Not include items that are perceived to be vulgar, obscene, and/or offensive to others because of race, color, religion, creed, national origin, gender, gender expression, gender identity, sexual orientation, disability, or any other legally protected class.

6. Not promote and/or endorse the use of Tobacco or Illegal Substances and/or encourage other illegal or violent activities.

7. Not include jewelry in physical education classes, in athletic programs, or in technology or science labs for safety reasons.

Nothing in this Dress Code will be construed to limit the ability of students to dress and/or groom themselves in a way that allows them to express their gender identity, or to discipline students for doing so. Nothing in this Dress Code will be construed to limit the ability of students to wear certain protective hairstyles (including but not limited to braids, locks and twists) or to wear their hair in a particular texture, or to discipline students for doing so.

Each school principal or their designee shall be responsible for informing all students and their parents of the Dress Code at the beginning of the school year and any revisions to the Dress Code made during the school year. The administration is authorized to act in instances where individual dress does not meet these stated requirements. Those who violate the Dress Code shall be required to modify their appearance by covering or removing the prohibited item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the Dress Code shall be subject to further discipline, up to and including out-of-school suspension.

5300.26 Prohibition on Student Use of Internet-Enabled Device ("Bell to Bell Ban")

The District believes in the importance of uninterrupted instructional settings as critical to student attention to task and ultimately to their academic achievement. The following is based on NYS Education Law 2803 and District Policy 7316.

For purposes of the Code of Conduct, the following phrases have the following meanings:

- "Internet-enabled devices" shall mean and include any smartphone, tablet, smartwatch, or other device capable of connecting to the internet and enabling the user to access content on the internet, including social media applications; provided, however, that "internet-enabled devices" shall not include:

  (i) non-internet-enabled devices such as cellular phones or other communication devices not capable of connecting to the internet or enabling the user to access content on the internet; or

  (ii) internet-enabled devices supplied by the school district, charter school, or board of cooperative educational services that are used for an educational purpose.

- "School day" shall mean the entirety of every instructional day from 7:30 a.m. to 2:15 p.m. in the middle/high school and 8:40 a.m. to 3:15 p.m. in the elementary school, during all instructional time and non-instructional time, including but not limited to homeroom periods, lunch, recess, study halls, and passing time. In the middle/high school, the school day shall include any instructional space between 2:25 p.m. and 3:00 p.m.

- "School grounds" shall mean in or on or within any building, structure, athletic playing field, playground, or land contained within the real property boundary line of a district elementary, intermediate, junior high, vocational, or high school, a charter school, or a board of cooperative educational services facility.

New York State Education Law prohibits students from using internet-enabled devices (phones, personal laptops, watches, tablets, air pods, smart glasses, etc.) on school grounds during the entire school day from the first bell to the last bell of the day. This includes class time, lunch, and study halls. School issued devices, such as iPads, are exempt from this prohibition.

Students are not allowed to use internet-enabled devices during the school day. This is throughout the building and on school grounds, including at their lockers, outside for P.E. classes, in the halls, during lunch, classes, or study halls. All internet-enabled devices should remain in the locations designated in the table below for the duration of the school day. Students who attend off campus programs including WFL BOCES Tech and Career Centers must follow policies of the off campus programs.

We encourage all students to leave all internet-enabled devices at home. The District will not be responsible for lost or damaged devices.

If a student brings an internet-enabled device to school, to ensure security and minimize disruption to instruction, students must store personal internet-enabled devices in designated areas as determined by grade level:

Elementary (K–6)	**Middle/High School (7–12)**
Kindergarten through 2nd grade will utilize the classroom storage area and grades 3-6 will utilize the hallway lockers. A secure storage area may also be designated if deemed necessary by building administration.	Students will be required to surrender and deposit their internet enabled devices each morning in a secured lock box (designated by their 8th period class) available in a location determined by the school administration. The lock box will be delivered by school personnel to the students' last class of the day. Student devices will be returned to each student at the conclusion of their 8th period class. A secure storage area may also be designated if deemed necessary by building administration.

Students who are signed out early from school may retrieve internet-enabled device(s) at the time of dismissal. They should not use the device(s) until after leaving the school building.

The District is authorized to specify exceptions to the prohibition. Students will be permitted to use internet-enabled devices only when necessary for the management of their own healthcare needs with the knowledge of a school administrator and required medical documentation.

Student and Parent Communication

Parents or persons in parental relation may contact students during the school day using the following methods:

- **Telephone:** Calling the school's main office (contact numbers to be provided annually).
    - Elementary Main Office: (315) 548-6900
    - Middle/High School Main Office: (315) 548-6300

- **Written Communication:** Parents may drop off written messages at the school office.

If a student needs to call their parent/guardian during the school day, they may get a pass to go to the office to use the phone.

Internet-Enabled Device Progressive Discipline

Failure to comply with the district's internet-enabled device policy may result in a referral under the Code of Conduct.

1st offense : If an internet-enabled device is seen (or heard) in a classroom/hallway/school space during school hours:	• Device is confiscated by staff • Staff gives device to main office • Student can pick up the device at end of day and reviews expectations of the bell-to-bell ban with administrator • Administrator contacts home
2nd offense : If an internet-enabled device is seen (or heard) in a classroom/hallway/school space during school hours:	• Device is confiscated by staff • Staff gives device to main office • Administrator contacts home • Parent can pick up the device or student can get the device at the end of the following day
3rd offense : If an internet-enabled device is seen (or heard) in a classroom/hallway/school space during school hours:	• Device is confiscated by staff • Staff gives device to main office • Administrator contacts home

	• Parent can pick up the device or student can get the device at the end of the following day • Device is stored in the main office for the remainder of the year
Subsequent offenses : If an internet-enabled device is seen (or heard) in a classroom/hallway/school space during school hours:	• Student may be subjected to progressive disciplinary action due to insubordinate conduct
Refusal to turn over the phone (at any level of offense)	• Staff member requesting phone will send student to main office (could be a detention) • Student may be subjected to progressive disciplinary action due to insubordinate conduct

5300.30 Prohibited Student Conduct

The Phelps Clifton-Springs Central School District 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.

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 they may grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property 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.

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

A. Engage in conduct that is disorderly. Examples of disorderly conduct include but are not limited to:

1. Running in hallways.

2. Making unreasonable noise.

3. Using language, gestures, or visual images that are profane, lewd, vulgar, or abusive.

4. Obstructing vehicular or pedestrian traffic.

5. Engaging in any willful act which disrupts the normal operation of the school community.

6. 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.

7. Computer/electronic communications misuse, including but not limited to any unauthorized use of computers, software, recording devices, cell phones or internet/intranet accounts; accessing inappropriate websites; or any other violation of District policy.

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 disrespect.

2. Lateness for, missing or leaving school without permission.

3. Skipping assigned detention and/or assigned tutoring sessions.

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

1. Continually impeding the teaching and learning process.

2. Continually interfering with the teacher's authority over the classroom.

3. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.

4. Inappropriate public sexual contact.

5. Display or use of personal electronic devices, such as, but not limited to cell phones, iPods, digital cameras, in a manner that is in violation of District policy.

6. Failure to comply with the Student Dress Code.

7. Engage in other acts that cause a disruption to learning and/or the school's operations.

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 biting, hitting, kicking, punching, and scratching) upon another student, teacher, administrator, or other school employee or attempting or threatening to do so.

2. Committing an act of violence that results in physical injury or depraved indifference to another person on school property or attempting or threatening to do so.

3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.

4. Displaying what appears to be a weapon.

5. Threatening to use any weapon.

6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other District employee or any person on school property, including graffiti or arson, or threatening or attempting to do so.

7. Intentionally damaging, destroying or defacing School District property; or other acts of vandalism.

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

1. Lying to school personnel.

2. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.

3. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.

4. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.

5. Discrimination, which includes the use of race, color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight, or disability as a basis for treating another in a negative manner.

6. Acts of Harassment/Bullying as defined in this Code.

7. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.

8. Cyberbullying as defined in this Code

9. Hazing as defined in this Code.

10. Selling, using, transmitting, or possessing obscene material.

11. Using vulgar or abusive language or visual images, cursing, or swearing.

12. Purchasing, possessing, using, consuming, selling, distributing, exchanging, or being under the influence of any tobacco or other nicotine product.

13. Purchasing, possessing, using, consuming, selling, distributing, or exchanging Illegal Substances, or being under the influence of either.

14. Gambling.

15. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner either in person, via photos or electronically.

16. Initiating a report warning of fire, bomb threat or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.

17. Using any technological devices to inappropriately photograph, record, or videotape another person without the consent of those present.

18. Using an unmanned aerial vehicle (also known as a drone) or any remote controlled aircraft on school property or during any school functions without obtaining prior written permission from the District's Superintendent and demonstrating compliance with any and all applicable Federal Aviation Administration rules and regulations.

19. Violation of another student's civil rights, including any behavior that interferes with and/or disrupts the educational process in a way that violates the civil rights of another student.

F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on District buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior and all other sections of this code of conduct. Excessive noise, pushing, shoving, throwing objects, standing while the bus is in motion, and fighting will not be tolerated.

G. Engage in any form of academic misconduct. Examples of academic misconduct include but are not limited to:

1. Plagiarism.

2. Cheating.

3. Copying.

4. Using Artificial Intelligence or "AI" *

5. Altering records.

6. Assisting another student in any of the above actions.

*Using artificial intelligence or "AI" software in any manner not explicitly permitted or authorized by a classroom teacher, including, but not limited to completing an academic assignment with the assistance of AI software when not permitted, or misrepresenting a portion of the whole of an academic assignment as your own without proper attribution or acknowledgement of the use of AI software.

H. Engage in off-campus misconduct that interferes with or can reasonably be expected to substantially disrupt the educational process in the school or at a school function. Examples of such misconduct include but are not limited to:

1. Cyberbullying.

2. Threatening, hazing, and harassing students or school personnel over the phone or the internet.

3. Using message boards, chat rooms or other forms of social media to convey threats, derogatory comments or post pornographic pictures of students or school personnel.

I. Engage in inappropriate use of technology, such as the Internet, email, or social media:

1. In a manner that violates local, state, or federal laws, including, but not limited to, those pertaining to, intellectual property, harassment, discrimination, bullying, defamation, or unauthorized access to any computer system (including so called "hacking");

2. In a manner that disrupts or damages hardware or software, such as virus creation, planting, transmission, or sabotage;

3. In a manner that violates District policy, rule, regulation, or the Code of Conduct;

4. In a manner that violates the privacy rights or the respect of the student or others (e.g., sharing password information, photographs, AI generated content, or other personal information);

5. To access sexually oriented/adult oriented chat rooms bulletin boards or sexually explicit websites, or any chat rooms inappropriate for minors;

6. To access dangerous information that if acted upon could cause damage to persons or property; and/or;

7. To buy or sell products or services or otherwise use the resources for personal profit or gain.

5300.35 Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a teacher, school counselor, administrator, or appropriate staff member. All District staff who are authorized to impose disciplinary sanctions (policy 5300.40) 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 a supervisor who is authorized to act. Any weapon or Illegal Substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction, which may include permanent suspension and referral for prosecution. The principal or their designee must notify parents and the appropriate local law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or their designee learns of the violation. Parent notification may be made by telephone, followed by a letter mailed within 24 hours. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

5300.40 Disciplinary Consequences, 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.

Disciplinary penalties in this Code are advisory. 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. Additionally, a student's first offense in one category, coupled with multiple offenses in other categories may result in a harsher penalty than that of another student who does not have a similar violation history; however, the District reserves the right to impose any level of discipline, even for a first violation, as the facts may warrant and is proportionate to the misconduct at issue.

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. 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. Disciplinary Consequences

Students who are found to have violated the District's Code of Conduct may be subject to the following consequences, either alone or in combination. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student's right to due process.

1. Oral warning – any member of the District staff

2. Disciplinary referrals to parent – bus driver, hall and lunch monitors (through administrator), coaches, school counselors, teachers, principal, Superintendent

3. Detention – teachers, principal, Superintendent

4. Suspension from transportation – Director of Transportation, Director of Special Programs and Services, principal, Superintendent

5. Suspension from athletic participation – coaches, Athletic Director, principal, Superintendent

6. Suspension from social or extracurricular activities – activity advisor, principal, Superintendent

7. Suspension of other privileges (examples include, but are not limited to, parking on campus and eating in the cafeteria) – principal, Superintendent

8. In-school suspension – principal, Superintendent

9. Removal from classroom – teachers, principal

10. Short-term (five days or less) suspension from school – principal, Superintendent, Board of Education

11. Long-term (more than five days) suspension from school –Superintendent, Board of Education.

12. Permanent suspension from school – Superintendent, Board of Education.

B. Procedures

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

Students who are to be given penalties other than an oral warning or disciplinary referrals to their parents are entitled to additional rights before the consequence is imposed. These additional rights are explained below.

1. Detention

Teachers, principals, and the Superintendent may use after school (beyond the regular school day) detention as a consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a consequence only after the student's parent has been notified to confirm that there is no conflict with the time/date of the detention and that the student has appropriate transportation home following detention. If a student receives detention during a non-instructional period of the day, the student's parent will be notified and transportation home will be provided.

2. Suspension from transportation

If a student does not conduct themselves properly on a bus, the bus driver is expected to bring such misconduct to the principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the principal, Director of Transportation, Superintendent, or their designees.

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 §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal meeting with the principal or the principal's designee to discuss the conduct and the consequence involved.

3. Suspension from athletic participation, extracurricular activities and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal meeting with the appropriate District official and/or follow the appeals process as outlined in the Athletic Code of Conduct.

4. In-school suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes principals/designees and the Superintendent/designee to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension."

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

5. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and 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 "time out" in a classroom or in an administrator's office with a staff member present; (2) sending a student into the

hallway briefly; (3) sending a student to the principal's office for the remainder of the class time only; or (4) sending a student to a school 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. As defined in this Code, 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 class periods, as outlined in the procedures that follow. The removal from class applies to the class of the removing teacher only.

A removed student shall be sent to the principal's office. 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 they are 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 to persons or property, 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. The teacher must complete a District-established disciplinary removal form and meet with the principal or their 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. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the principal or another District administrator designated by the principal must notify the student's parents 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 an informal meeting with the principal or the principal's designee to discuss the reasons for the removal. A written copy of this information will follow.

The principal may require the teacher who ordered the removal to attend the informal meeting in accordance with contractual requirements.

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:

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

The principal or their 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 meeting, if a meeting 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 by the classroom teacher until they are permitted to return to the classroom.

Each teacher must keep a complete log for all cases of removal of students from their class. The principal must keep a log of all removals of students from class.

Removal of a student with a disability, 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 they have verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. Suspension from school

Suspension from school is a severe consequence, 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.

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

Any staff member may recommend to the principal or the Superintendent 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 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 (5 days or less) suspension from school

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

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

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

threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the meeting, the principal shall promptly advise the parents in writing of their decision.

b) Long-term (more than 5 days) suspension from school

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

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

An appeal of the decision of the Superintendent may be made to the Board which will make its decision based solely upon the record before it. All appeals to the Board must be in writing, specifying the reason for the appeal, and submitted to the District Clerk within thirty (30) calendar days of the date of the Superintendent's decision.

There will be no personal appearances before the Board; the appeal will be considered solely in writing. The Board will not convene to consider and decided an appeal unless the full record of the appeal has been compiled and provided to the Board, and at least ten (10) business days before the next scheduled Board of Education meeting. If the written appeal is not received and the appeal record has not been compiled in full and provided to the Board at least ten (10) business days before the next scheduled Board meeting, then the appeal will not be considered and decided at that meeting. It will instead be considered at a later regularly scheduled Board meeting.

The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner within thirty (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.

C. Minimum Periods of Suspension

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

Any student, other than a student with a disability, found guilty of bringing to or possessing a weapon on school property in accordance with the Gun-Free Schools Law, the Gun-Free Schools Act of 1994, New York Education Law, and this Board Policy, will be subject to a long-term suspension from school for at least one calendar year. Under certain mitigating circumstances a shorter suspension may be considered. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the consequence, 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 to 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 to or possessing a weapon on school property, shall be subject to a short or long-term suspension from school. If the proposed consequence is a five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal meeting given to all students subject to a short-

term suspension. If the proposed consequence exceeds a 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 a five-day suspension on a case-by-case basis. In deciding whether to modify the consequence, 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 substantially interfere with the teacher's authority over the classroom

Any student, other than a student with a disability, who repeatedly is substantially disruptive to the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least one day and can be suspended up to 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 § 3214 (3-a) and this Code of four or more occasions during a semester. The proposed consequence is a minimum one-day suspension and up to five days suspension. The student and the student's parent will be given the same notice and opportunity for an informal meeting given to all students subject to a short-term suspension. If the proposed consequence 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 suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

D. Referrals

1. Counseling

The principal or their designee (including counseling staff) shall handle all referrals of students to counseling.

2. Human Service Agencies

When any student need is beyond the scope of the District's resources, a referral to appropriate human service agencies will be made. All administrators, faculty, pupil services personnel, and other support staff will be responsible for communicating the need for such referrals to the principal or their designee.

3. 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 they require supervision and treatment by:

a) Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.

b) Engaging in an ongoing or continual course of conduct, which makes the student ungovernable or habitually disobedient, and beyond the lawful control of the school.

c) Violating § 230.00 of the Penal Law. A single violation of § 230.00 will be a sufficient basis for filing a PINS petition.

4. Juvenile Delinquents and Juvenile Offenders

The Superintendent is required to refer the following students to the appropriate law enforcement authorities for a juvenile delinquency proceeding before the Family Court:

Students who have brought a "Weapon" or "Firearm" to school will be referred to the Superintendent to either a presentment agency (the agency or authority responsible for presenting a juvenile delinquency proceeding) or appropriate law enforcement officials. Such referrals will be made as follows: a student who is under the age of (16) and who is not a fourteen (14) or fifteen (15) year old who qualified for juvenile offender status under the Criminal Procedure Law 1.20(42) will be referred to a presentment agency for juvenile delinquency proceedings; a student who is sixteen (16) years old or older, or who is fourteen (14) or fifteen (15) and qualified for juvenile offender status will be referred to the appropriate enforcement authorities.

5300.45 Alternative Instruction

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is removed from the classroom, placed in detention, or suspended from school pursuant to Education Law §3214, the District shall ensure the provisions of continued educational programming and activities for such students, which shall include alternative educational programs appropriate to the individual student's needs.

5300.50 Discipline of Students with Disabilities

The Phelps Clifton-Springs Central School District Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the District's student Code of Conduct, and/or to temporarily remove a student with disabilities

from their current placement because maintaining the student in that placement is substantially likely to result in injury to the student or to others. The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

Therefore, the Board is committed to ensuring that the District follows suspension and removal procedures that are consistent with those protections required by applicable State and Federal Laws relating to students with disabilities, including but not limited to the Individuals with Disabilities Act (IDEA), Chapter 33 of Title 20 of the United States Code, Part 300 of the Regulations of the Offices of the Department of Education, Education Law Section 3214, and Part 201 of the Regulations of the Commissioner of Education. The Code of Conduct for students is intended to afford students with disabilities and students presumed to have a disability for discipline purposes the express rights they enjoy under applicable law and regulations.

5300.55 Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any District employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher, or any person from physical injury.

2. Protect the property of the school or others.

3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of School District functions, powers, and duties, if that student has refused to refrain from further disruptive acts.

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

5300.60 Dignity for All Students Act (DASA)

The Board of Education recognizes that a learning environment that is safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn

and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting, hazing, and intimidation. The District will, therefore, strive to create and environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by school employees, or students on school property, or at school-sponsored events and activities that take place on, or off school property. In addition, any discrimination or harassment outside of school-sponsored events which can reasonably be expected to materially and substantially disrupt the educational process may be subject to discipline.

The District has designated a Dignity Act Coordinator (DAC) for each school. Those coordinators are:

The Dignity Act Coordinators are as follows:

- Chris Moyer (Building Principal MIS/MPS) – (315) 548-6900
- Daniel McAlpin (Building Principal MMS/MHS) – (315) 548-6600
- John Lombardi (Athletic Director) - (315) 548-6450

The Dignity Act Coordinators are trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender (including gender identity or expression), and sex. They are available to speak with any person who has witnessed possible harassment/bullying and/or discrimination, or if that person has experienced treatment that may be prohibited harassment/bullying and/or discrimination.

The District provides a procedure for responding to reports of possible harassment/bullying and/or discrimination against students by another student, an employee, or any other person on school property or at a school function.

The school principal or their designee, are responsible for receiving reports of alleged acts of harassment/bullying and/or discrimination. The principal, Superintendent or the principal's or Superintendent's designee may lead the thorough investigation of all reports of harassment/bullying and/or discrimination. In the event that the principal is the alleged offender, the report will be directed to the Superintendent.

The school district will take prompt action to investigate any alleged act of harassment/bullying and/or discrimination, from reports received, whether written or orally reported, and will take

steps necessary to protect the student from any further harassment/bullying and/or discrimination.

If a student witnesses or is the subject of harassment/bullying and/or discrimination, or is aware of any such acts, they should immediately report the incident to any staff member or administrator. The staff member and/or administrator shall document and take appropriate actions to address the occurrence and promptly report to the building principal or their designee.

When an alleged incident of harassment/bullying and/or discrimination is reported to or witnessed by a staff member, the staff member must take prompt action, notifying the building principal, or his/her designee no later than one school day after the staff member receives or is witness to the incident. The staff member must then file a written report to the building principal or their designee no later than two school days after making the oral report.

The school principal or their designee will lead or supervise an investigation of the alleged incident of harassment/bullying and/or discrimination. The building principal or their designee shall ensure that the investigation is undertaken promptly, treated as confidential, and follows the procedures set forth in the Code of Conduct.

If the investigation determines that a material incident of harassment/bullying and/or discrimination has occurred, steps will be taken as warranted to:

- Ensure the safety of the student.
- Eliminate the hostile environment where the harassment/bullying and/or discrimination occurred.
- Follow up to ensure the interventions put in place eliminated the harassment/bullying and/or discrimination, including retaliation.
- Work to create a more positive school culture and climate.

With respect to such acts of harassment/bullying against students by students, The District will incorporate a progressive model of student discipline that includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline, and considers among other things, the nature and severity of the offending student's behavior(s), the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the student's behaviors had on the individual(s) who was physically injured and/or emotionally harmed. Responses shall be reasonably calculated to end the harassment, bullying, and/or discrimination, prevent recurrence, and eliminate the hostile environment. This progressive model of student discipline shall be consistent with the other provisions of this Code.

The Principal, Superintendent, or their designee shall promptly notify the appropriate local law enforcement agency when it is believes that any harassment, bullying or discrimination

constitutes criminal conduct. The Principal or the Principal's designee shall provide a regular report, at least once during each school year, on data and trends relating to harassment, bullying and/or discrimination to the Superintendent of schools.

Retaliation against any individual who, in good faith, reports or assists in the investigation or harassment, bullying, and/or discrimination shall be prohibited.

5300.65 Visitors to the Schools

The Phelps Clifton-Springs Central School District Board of Education encourages 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 principal or their designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.

2. All visitors to the school must report to the main office or other secure entrances upon arrival at the school. There they will be required to sign the visitor's register and surrender a photo ID (which will be kept on file for the duration of their visit) and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the office before leaving the building.

3. Visitors attending school functions that are open to the public outside of the regular school day, such as parent-teacher organization meetings or public gatherings, are not required to register.

4. Parents or citizens who wish to observe a classroom while school is in session are required to get permission from the building administrator to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.

5. Teachers are expected not to take class time to discuss individual matters with visitors.

6. Any unauthorized person on school property will be reported to the principal or their designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.

7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

8. Using an unmanned aerial vehicle (also known as a drone) or any remote-controlled aircraft on school property or during any school functions without the prior written authorization from the District's Superintendent is prohibited. Prior to such use, users must also demonstrate compliance with all applicable Federal Aviation Administration rules and regulations.

5300.70 Public Conduct on School Property

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

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

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

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten or attempt to do so.

2. Intentionally damage or destroy School District property or the personal property of a student, District employee or any person lawfully on school property, including graffiti or arson or threaten or attempt to do so.

3. Disrupt the orderly conduct of classes, school programs or other school activities.

4. Distribute, display or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.

5. Intimidate, harass, or discriminate against any person on the basis of actual or perceived race, color, creed, weight, national origin, ethnic group, religion,

religious practice, disability, sex, sexual orientation, gender (including gender identity and expression), or any other legally-protected class.

6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.

7. Remain on campus from 11:00 PM to 5:00 AM, when the campus is closed, unless authorized by a school administrator.

8. Obstruct the free movement of any person in any place to which this Code applies.

9. Violate the traffic laws, parking regulations or other restrictions on vehicles.

10. Possess, use, consume, purchase, sell, distribute, or exchange, Illegal Substances or any substance marked "not for human consumption", or be under the influence of any of these substances on school property or at a school function.

11. Consume, use, possess, purchase, sell, distribute, or exchange Tobacco Products on school property or at a school function.

12. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the School District.

13. Loiter on or about school property.

14. Gamble on school property or at school functions, unless such activity is permitted by law and approved by the District in advance.

15. Refuse to comply with any reasonable order of identifiable School District personnel performing their duties.

16. Willfully incite others to commit any of the acts prohibited by this Code.

17. Bring a dog on campus to walk, exercise, or attend an athletic or extra-curricular event , unless specifically allowed by the Phelps-Clifton Springs Board of Education policy.

18. Violate any federal or state statute, local ordinance, this Code or Board policy while on school property or while at a school function.

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 and/or police action. Visitors may be banned from being physically present on District property by the Superintendent.

2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.

3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a 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 §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §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

District personnel shall be responsible for enforcing the conduct required by this Code.

When District personnel sees an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the District personnel shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The District personnel 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 District personnel 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.

5300.75 Standards and Procedures to Assure the Security and Safety of Students and School Personnel

The District has established a District-level school safety plan, and a building-level emergency response plan for each District school building, which have been developed in accordance with applicable law and regulation to assure the security and safety of students and school personnel.

5300.80 Dissemination and Review

A. Dissemination of Code of Conduct

The Phelps Clifton-Springs Central School District Board of Education will work to ensure that the community is aware of this Code of Conduct by:

1. Providing copies of an age-appropriate, written in plain language, summary of the Code to all students at an assembly to be held at the beginning of each school year.

2. Providing a plain language summary to all parents at the beginning of the school year, and thereafter on request.

3. Posting the complete Code of Conduct on the District's website.

4. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption.

5. Providing all new employees with a copy of the current Code of Conduct when they are first hired.

6. Making copies of the Code available for review by students, parents and other community members.

The Board will sponsor in-service education programs for all District staff members to ensure the effective implementation of the Code of Conduct, 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 school 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. On-going 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 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. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

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

The Code of Conduct and any amendments to it will be filed with the Commissioner of Education, in a manner prescribed by the Commissioner, no later than 30 days after adoption.

5300.90 Compliance

If at any time a part of this Code of conduct is inconsistent with applicable law, that part of the Code is to be considered amended so that it complies with applicable law. This Code of Conduct is effective as of July 1, 2025.

Approved by the Board of Education as Revised