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Victor Central School District

Code of Conduct

Introduction

Why Do We Have a Code of Conduct?

At Victor Central Schools, we know that students learn best in an environment that is safe, supportive, and respectful. The Code of Conduct exists to help create and maintain that environment where students can focus on learning, and teachers and staff can provide high-quality education without disruption.

Our Code of Conduct is built on the shared values of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. It sets clear expectations for behavior on school property and at school functions, and it outlines the responsibilities of students, staff, parents, and visitors in upholding these values.

By clearly defining what is expected, describing the possible consequences for unacceptable behavior, and ensuring discipline is fair and consistent, the Code of Conduct helps protect the well-being of every member of our school community.

This Code was thoughtfully developed with input from teachers, administrators, school board members, support staff, students, and families. It also aligns with the Dignity for All Students Act (Dignity Act), ensuring that our schools are free from harassment, bullying (including cyberbullying), and discrimination. The Dignity Act emphasizes the importance of fostering civility and promoting positive school culture, values that are at the heart of our Code.

In short, we have a Code of Conduct to ensure that Victor Central Schools are places where every student feels safe, respected, and ready to learn, every day.

Where and When the Code of Conduct Applies

The Code of Conduct applies to all students whenever they are part of the Victor Central School community, not just during the school day. This includes:

- While students are in any Victor Central School building or on school grounds
- When they are riding in school vehicles
- When they are participating in or attending any school-related or district-sponsored event, such as field trips, sports games, concerts, or club activities, whether these events happen on school property or at other locations like parks, private businesses, other schools or even out of the state or the country at school-sponsored events.

In addition, the Code also applies to behavior that happens outside of school hours and off school property, including online environments, if those actions could negatively impact the learning environment or the well-being of our school community.

Our goal is to help students understand that they represent themselves and our school at all times, and that positive behavior matters both inside and outside of the classroom.

VCS Vision Statement

Together, we will build a thriving educational community that inspires every individual to shape their own future with confidence and pride.

Mission Statement

Together we create engaging learning environments that promote empathy, inclusivity and opportunity by uniting the community and classroom. Our dedicated, supported staff prepare and inspire every student to achieve their academic potential and thrive in an ever-changing world.

District Vision

At Victor Central Schools (VCS), we will cultivate a vibrant and supportive learning community built upon the cornerstones of respect, inclusivity, and empowerment. Every day, in every building, every person will feel safe, valued, inspired, and motivated to grow both academically and personally. We will celebrate diversity, foster a sense of belonging and strive for academic achievement, and students will become informed, confident scholars and leaders who are prepared to thrive in an ever-changing world.

We will create an environment where students confidently take risks, embrace new learning experiences and persevere through challenges. Our approach will address the academic, social and emotional needs of every student, ensuring they develop essential life skills and feel valued throughout their academic journey. Strong connections between students, staff, families, and local organizations will be built through clear and consistent communication. We will ensure community members and families are well-informed and engaged in both their student's daily life and the numerous community-building activities hosted by the district.

We believe that there are many pathways to success that meet the diverse interests and learning styles of our students. Through hands-on opportunities and real-world experiences tailored to their unique interests, strengths and aspirations, students will gain the skills and adaptability needed to excel in a rapidly evolving global landscape. Our classrooms will be spaces that support student-led discovery-based learning, where they are encouraged to explore with guidance from dedicated educators. Together we will create individualized learning opportunities to enable students to reach their full potential.

At VCS, we understand the importance of providing the support both students and staff need to thrive academically, professionally and emotionally. Our state-of-the-art facilities and evolving resources will be designed to meet the needs of everyone in our dynamic community. We will continually explore, embrace and integrate new strategies and technologies to ensure that all members of our school community have the tools necessary for success. Educators, viewing themselves as lifelong learners committed to the success of each student, will actively collaborate with the District to seek the continual learning and professional development needed to excel in their roles.

The sense of pride on the Victor campus will be unmistakable. Victor Central Schools will be a district where families choose to live, staff are eager to work, and the community is committed to supporting our continued success. Our one-campus environment will be the place where we bridge the gap between long-standing and new community members fostering a sense of unity and shared purpose.

Positive School Culture and Climate

At Victor Central Schools, we are committed to creating a positive, safe, and supportive environment where every student feels respected, valued, and ready to learn. We believe that students learn best when they feel physically, emotionally, and socially secure, and we work hard to protect all members of our community from any form of harm.

Our Code of Conduct reflects our commitment to culturally and linguistically responsive practices, ensuring that every student feels seen, heard, and respected. We believe that a healthy school culture grows from high expectations, mutual respect, and shared accountability. At the heart of our work is a commitment by everyone, students, staff, and families, to support students' academic, social, and emotional growth. We model the skills, behaviors, and mindsets that lead to success both in school and in life, seeing challenges as learning opportunities.

Through a focus on Multiple Tiers of Student Supports (MTSS), Victor Central Schools uses a variety of strategies to build a strong and positive culture, including:

Social-Emotional Learning (SEL)

Our schools embrace the principles of social-emotional learning and align our practices with the New York State Education Department (NYSED) SEL Benchmarks. Through this work, we help students:

- Develop self-awareness and self-management skills essential to success in school and in life.
- Use social awareness and interpersonal skills to establish and maintain positive relationships.
- Demonstrate ethical decision making skills and responsible behaviors in person, school and community contexts.

Academic Rigor and Support

We are committed to offering challenging and meaningful learning opportunities for all students. We encourage exploration, discovery, and deep engagement with academic content. When students need extra help, we provide support services to ensure they have every opportunity to succeed.

Restorative Practices

In addition to setting high expectations, we believe in repairing relationships when harm is done. Restorative practices help students reflect on their actions, take responsibility, and work toward making things right, strengthening our school community as a whole.

Together, these efforts inspire our students and staff to be their best, do their best, and make a positive difference in the lives of others.

VCS Student Rights and Responsibilities

At Victor Central Schools, we are committed to fostering an environment where every student feels safe, respected, and empowered to learn and grow. Students are guaranteed rights

under constitutional, federal, and state laws, as well as District policies, to ensure their academic, social, and emotional well-being.

All VCS Students have the right to:

- A high-quality education that is rigorous, authentic, and inclusive, provided in a safe and supportive environment.
- Access services and supports that promote academic achievement and social-emotional success.
- Be heard and respected as individuals, and to be treated fairly and with dignity by students, staff, parents, and visitors.
- Express opinions respectfully, verbally, in writing, or with assistance, while contributing to a positive school environment.
- Dress in ways that express individuality, as long as it does not disrupt the learning process or pose a safety concern.
- Participate equally in all school activities, regardless of race, color, weight, national origin, ethnicity, religion, disability, sex, sexual orientation, gender identity, or gender expression.
- Request and receive confidential, accurate information about drug and alcohol use, along with guidance on how to access support services and treatment resources. (Ed Law 3038)
- Be protected from discrimination, bullying, harassment (including cyberbullying), intimidation, and sexual harassment, whether physical, verbal, or electronic, with access to support services as needed, in accordance with the Dignity for All Students Act (DASA).
- Understand their rights and responsibilities, including:
 - The VCS Code of Conduct
 - School and District rules, requirements, policies, and procedures, including possible consequences for misconduct
 - Laws related to student rights
- Due process protections, including:
 - The opportunity to be heard regarding disciplinary actions
 - Access to clear information about school rules, discipline procedures, and appeals
 - The opportunity to request reconsideration of disciplinary consequences where appropriate
 - The right to be accompanied by a parent/guardian or representative during a Superintendent's hearing (unless otherwise determined by law)
- Engage in leadership and decision-making opportunities, including:
 - Serving on student councils or committees that influence school decisions
 - Expressing opinions about school regulations and practices through established channels
 - Taking part in peer leadership or mentoring programs
 - Forming student groups to represent various interests or needs, following District guidelines

All VCS Students have the responsibility to:

- Come to school ready to learn, do their best, and ask for help when they need it.
- Treat themselves and others with kindness, respect, and empathy.
- Take care of school property and help keep the school environment safe, clean, and welcoming.
- Follow school requirements, expectations and guidelines that help everyone succeed.
- Communicate openly, honestly, and respectfully with teachers, staff, and classmates.
- Celebrate differences, include others, and help build a community where everyone feels they belong.
- Speak up if they see something unsafe, unfair, or unkind, and seek help from a trusted adult.
- Use technology responsibly to support learning, communicate kindly, and protect the privacy and well-being of themselves and others.
- Take pride in their role as learners and citizens of the school community.
- Take ownership of their actions by reflecting on mistakes and accepting school interventions and responses that help turn challenges into opportunities for learning and growth

Each year, students will be reminded of their rights and responsibilities in an age-appropriate and accessible way, so that every student understands and can act on them.

Essential Partners

At Victor Central Schools, we believe that fostering a respectful, safe, and welcoming environment is a shared responsibility. Every member of our school community, students, staff, security, parents/caregivers, and visitors, plays an essential role in modeling the values and behaviors that support academic achievement, personal growth, and emotional well-being. Together, by holding ourselves to the highest standards, we create the conditions that allow all students to learn, thrive, and reach their fullest potential.

Essential Partner Shared Rights and Responsibilities

All members of the VCS community share important rights and responsibilities that help build and maintain a positive school culture. These requirements apply to every individual, regardless of their role:

All Essential Partners have the right to:

- Be treated with respect, dignity, and fairness.
- Learn, work, and participate in school activities in a safe and supportive environment, free from discrimination, harassment, and bullying.
- Express opinions respectfully and constructively contribute to school activities and decisions.
- Access accurate and timely information that pertains to their role.

All Essential Partners have the responsibility to:

- Treat others with kindness, empathy, and respect, regardless of differences such as race, color, weight, national origin, religion, disability, sex, gender identity, or sexual orientation.
- Follow school rules and policies to maintain a safe, orderly, and welcoming environment.
- Communicate openly and honestly with all members of the school community, avoiding curse words, insults, and raised voices, and respecting personal boundaries.
- Cooperate with school personnel and support efforts to resolve conflicts constructively.
- Participate in ways that uphold the educational mission of the school and foster a positive, inclusive community.

In addition to these shared rights and responsibilities, each group within our school community has a unique and vital role to play in supporting student growth, learning, and success. The following outlines the specific rights and responsibilities for key stakeholders:

Parent and Caregiver Rights and Responsibilities

Parents/Caregivers have the right to:

- Be informed about their child's academic progress, behavior, and well-being.
- Access clear information regarding school policies, procedures, and expectations.
- Receive timely communication about school events, opportunities, and concerns, in their home language or through qualified translation and interpretation services.
- Participate meaningfully in parent-teacher conferences, school meetings, and decision-making processes.
- Expect a safe, supportive, and nurturing school environment for their child.

Parents/Caregivers have the responsibility to:

- Ensure their child attends school regularly, is prepared for learning, and follows school rules.
- Encourage and support their child's academic achievement and personal development.
- Maintain open and respectful communication with teachers, staff, and administrators.
- Work collaboratively with the school to support their child's emotional well-being and encourage a positive approach to school and lifelong learning.
- Encourage their child to demonstrate respect, responsibility, and active participation in school life.
- Promptly report concerns about safety, well-being, or the school environment to appropriate school personnel.
- Support school efforts to maintain a safe and respectful environment by modeling positive communication and behavior, in person and online.

Visitor Rights and Responsibilities

Visitors have the right to:

- Access publicly open areas of the school and attend events when invited or permitted.
- Be treated with courtesy, professionalism, and respect by students and staff.
- Provide feedback or express concerns to school personnel in a respectful manner.

Visitors have the responsibility to:

- Sign in at the main office or a designated location upon entering school buildings and follow visitor procedures.
- Adhere to all school rules and policies while on campus.
- Respect the privacy, safety, and learning time of students and staff by avoiding disruptions.
- Refrain from using language or actions that could disrupt or harm the school environment.
- Immediately report any safety concerns or issues to school staff.

Staff Rights and Responsibilities

Staff have the right to:

- Work in a respectful, safe, and supportive professional environment.
- Access the necessary resources, training, and support to perform their roles effectively.
- Have their professionalism, expertise, and contributions recognized and valued.
- Share their perspectives and concerns regarding school policies and practices.

Staff have the responsibility to:

- Maintain supportive, professional relationships with students, families, and colleagues.
- Implement school policies and procedures consistently, fairly, and equitably.
- Foster a positive, respectful, and engaging learning environment for all students.
- Communicate regularly with parents/caregivers about student progress and school matters.
- Model respect, responsibility, and integrity in all interactions, in person and online.
- Collaborate with colleagues and school leadership to strengthen a positive school culture.
- Act promptly to prevent and address bullying, harassment, and discrimination, following established protocols and district policies.

Dignity for All Students Act (DASA)

At Victor Central Schools, we are deeply committed to providing a safe, welcoming, and inclusive environment where every student can learn, grow, and thrive. To help ensure this, we uphold the principles of the **Dignity for All Students Act (DASA)**, a New York State law designed to protect students from discrimination, harassment, bullying (including cyberbullying), and bias-based behavior of any kind.

Under DASA, students are protected against acts of discrimination or harassment based on actual or perceived characteristics such as race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

At Victor, we believe that treating every individual with dignity is a shared responsibility. We expect all members of our school community, students, staff, families, and visitors, to help create an environment where kindness, respect, and fairness are the norm.

Our Commitment to Students

When bullying, harassment, cyberbullying, discrimination, or other bias-related behavior is reported or observed:

- Every report is taken seriously, whether made orally, in writing, anonymously, or directly to a staff member.
- Every situation is promptly investigated by the building's Dignity Act Coordinator (DAC) or their trained designee, following the requirements of DASA and the Victor Central Schools Code of Conduct.
- Support is provided to all students involved, ensuring they feel safe, respected, and have the skills and strategies needed to prevent future incidents.
- Confidentiality is protected to the fullest extent allowed by law.

If a DASA investigation determines that a violation has occurred, appropriate actions will be taken to:

- Address and end the harmful behavior,
- Restore a positive learning environment,
- Provide support and education to those involved, and
- Monitor progress to prevent recurrence.

Students and families can report concerns by:

- Using the DASA Reporting Form available on the district website,
- Contacting the Safe Schools Helpline by call, text, or email, or
- Speaking directly with the building principal, a Dignity Act Coordinator, or any trusted staff member.

The Role of Dignity Act Coordinators (DACs)

Each school building has at least one designated Dignity Act Coordinator (DAC), trained to:

- Promote a safe, respectful, and supportive environment for all students,
- Respond promptly and thoughtfully to reports of bullying, harassment, and discrimination,
- Oversee and collaborate with the district-wide and building-level Bullying Prevention teams,
- Support the integration of civility, empathy, and respect into classroom instruction and school culture,
- Help plan and provide staff training on bullying prevention, equity, and inclusion,
- Monitor the effectiveness of prevention policies and report data and trends annually,
- Address personal biases that could impact the equitable treatment of students,
- Ensure that any student or community member who raises a concern is treated with dignity and care.

District-wide Dignity Act Coordinator includes the Assistant Superintendent for Instruction as well as the Director of Health, Physical Education and Athletics, who works closely with each building-level DACs to promote and maintain a safe and supportive school climate.

DASA Reporting and Response Procedures

- Any student, staff member, or visitor who witnesses or experiences bullying, cyberbullying, harassment, or discrimination should report it immediately to any staff member or administrator.
- Staff must promptly document reports and notify the building DAC, who leads or supervises the investigation.
- Investigations are thorough, timely, and focused on the well-being of the students involved. Corrective actions, including consequences, are implemented where necessary.
- Students receive continued support through a mutually designed action plan to promote healing, learning, and safety.
- Building DACs compile and review data annually to improve practices and maintain a safe environment for all.

Together, through proactive education, timely intervention, and a collective commitment to kindness and respect, we ensure that Victor Central Schools are places where every student can feel safe, valued, and empowered to succeed.

The Dignity Act Coordinators are as follows:

- | | | |
|----------------------------|---|---|
| • Early Childhood School | Laura Reynolds | (585)924-3252 ext. 2401 |
| • Primary School | Amanda Byrne | (585)924-3252 ext. 3401 |
| • Intermediate School | Natalie Sonnevile
Leah Daniels Farren | (585)924-3252 ext. 4402
(585)924-3252 ext. 4401 |
| • Junior High School | Brian Gee
Laura Westerman | (585)924-3252 ext. 5400
(585)924-3252 ext. 5401 |
| • Senior High School | Keith Pedzich
Kate Pyle
Matt Halloran | (585)924-3252 ext. 6401
(585)924-3252 ext. 6403
(585)924-3252 ext. 6402 |
| • District Wide Pre-K - 12 | Karen Finter
Duane Weimer | (585)924-3252 ext. 1453
(585)924-3252 ext. 6307 |

Student Dress Code

Victor Central Schools has established a dress code to foster equity, safety and consistency for anyone on campus. The dress code is designed in a manner that does not reinforce stereotypes and is meant to minimize reasons for conflict. Students should be able to dress comfortably for school and participate fully in educational activities without fear of judgment or unfair treatment.

The dress code applies to all on campus and off campus school events. School administration may take action if a student's attire does not meet the requirements outlined below.

Students will be treated equitably regardless of race, disability, gender identity or expression, sexual orientation, religion, ethnicity, cultural observance, political affiliation, household income, or body type/size.

General Dress Guidelines

Victor Central Schools encourages students to dress in a way that reflects the importance of a productive learning environment. Student attire should maintain a standard of decorum suitable for a community of learners. Students must wear:

- **A top** (e.g., shirt, blouse, sweatshirt, sweater). Tops must provide coverage of the front, back and sides, and are not to be substituted by undergarments alone.
- **Bottoms** (e.g., pants, shorts, skirts, leggings, dresses, sweatpants).
- **Footwear** (e.g., sneakers, boots, sandals, flats, heels, slides).

Clothing must cover private body parts with opaque (non-transparent) material at all times. Victor Central Schools supports and respects religious and cultural dress practices. Students and families may request reasonable accommodations, which will be provided whenever possible.

Prohibited Items

Students may not wear clothing or accessories that:

- Display or promote the use of vaping, tobacco, alcohol, illegal substances, or other illegal activities.
- Contain offensive language, images, or symbols (including hate speech, threats, or discriminatory messages).
- Present a safety hazard (for example, dangerous jewelry, footwear inappropriate for activity in Physical Education or Science Lab Settings, or items that could be used as weapons).
- Block identity (large hoods, full face mask, etc...)

Note: Protective or specialized clothing may be required for certain classes or activities (e.g., science labs, technology classes, physical education). These requirements will be communicated ahead of time.

Communication and Enforcement

- Each school principal or designee will communicate the dress code to students and families at the start of the school year and will share any reminders or updates as needed.
- Questions about the VCS dress code can be directed to building administrators.
- If a student's clothing does not meet the dress code:
 - The student will be asked to modify their appearance (for example, by covering, changing, or removing the item).
 - If necessary, replacement clothing may be provided or the student may call home for alternate clothing.
 - Students who refuse to comply may be subject to disciplinary action, including in-school suspension for the day.
 - Repeated violations may result in additional consequences, up to and including out-of-school suspension.

Levels of Behavioral Concerns, Misconduct, Interventions and Responses

The Board of Education requires all students to conduct themselves in an appropriate and civil manner. Students must have proper regard for the rights and welfare of others, and for the care of school facilities and equipment. This conduct supports our goal of making our school community free of violence, intimidation, bullying, harassment and discrimination.

We are committed to supporting our students as they learn to assume and accept responsibility for their behavior as well as the consequences of their actions, regardless of intent but rather by considering the impact of their actions. **Intent** refers to what you thought you were doing. **Impact** refers to how that action was perceived by or affected the other person. District personnel who interact with students are expected to provide interventions and response to behavioral concerns or misconduct by placing an emphasis on education, so that our students may grow their capacity to self-regulate and self-discipline.

The Board recognizes the need to make its requirements for student conduct while on school property or engaged in a school function specific and clear. The expectation is that students will accept responsibility for their behavior, the impact of their behavior and accept consequences for their conduct.

Intervention and response, or consequences are most effective when they deal directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. Reasonable effort will be made to respond to Code of Conduct violations in a timely manner. 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. As a general rule, discipline will be progressive. 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 impact of the offense.
4. The student's prior disciplinary record.
5. The effectiveness of other forms of discipline.
6. Information from parents, teachers and/or others, as appropriate, including a VCS Threat Assessment
7. Other extenuating circumstances.

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 student identified as having a disability shall not be disciplined for behavior related to his/her disability.

Level 1 Behavioral Concerns or Misconduct

Level 1 Behavioral Concerns or Misconduct occur when the behavior is a minor disruption to the student's learning or learning environment and the student has had no prior incidents and/or no supportive interventions have yet been put in place.

Examples of Level 1 Behavioral Concerns or Misconduct

- Plagiarism
- Tardiness
- Unexcused absences, including skipping class
- Negative talk, name-calling, teasing, swearing, inappropriate language or gestures
- Defiance, insubordination or noncompliance
- Hallway or classroom distraction or disruption - making noises, talking out of turn excessively, out of seat, running
- Inappropriate Physical Contact, i.e.: poking, tripping, bumping into others, pushing, etc.
- Wearing clothing that disrupts the educational process and does not promote a safe and productive learning environment
- Misuse of electronic devices or technology-causing minor distraction or possession of personal electronic devices (cellphones, smart watches, etc.)

**This list represents examples and is not all inclusive.*

School Staff Interventions and Responses for Level 1 Concerns

School staff are responsible for teaching, modeling, practicing, recognizing and assessing positive behaviors and promoting social-emotional skills of self-regulation, self-management, social awareness and self-awareness. Staff members may use the Level 1 Interventions to interrupt unexpected behaviors or misconduct and to teach skills so students can learn and demonstrate safe and respectful behavior. Level 1 Responses/Consequences are used in a graduated fashion. If classroom interventions are not successful, staff are expected to collaborate and report concerns to administration or support staff members, who will determine appropriate responses.

Level 1 Interventions	Level 1 Responses/Consequences
• Short breaks, including movement breaks • Redirection that clearly state expectations • Positive and specific corrective feedback	• Seat change • Written reflection by student(s) • Contact families via email or telephone • Parent-Teacher Conference • Loss of a privilege

• Re-teaching and/or rehearsal of skill or procedure • Increase proximity • Verbal prompts, reminders, redirections, warnings, and/or correction • Calm-down strategy application (ie: Calm Down Corner, Zones of Regulation, SEL Strategies, Breathing Techniques, etc.) • Student-Teacher Conference	• Confiscation of a personal artifact, cell phone, smart watch, etc... • Detention given with the teacher • Conference with an Administrator <i>*Preventions and interventions serve as guidelines relative to supporting student behavior and is not exhaustive of all possible actions.</i>
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Level 2 Behavioral Concerns or Misconduct

Level 2 Behavioral Concerns or misconduct occurs when supports have been put in place, but the behavior has become persistent or has had a more severe negative influence over the learning of the student or others.

Examples of Level 2 Behavioral Concerns or Misconduct

- Persistent Level 1 Behaviors
 - Verbal altercation, including obscene, threatening or abusive language
 - Discriminatory and harmful language: racial slurs, homophobic/transphobic language, hate speech
 - Bullying, intimidation, cyberbullying
 - Cheating or other academic dishonesty
 - Misleading or giving false information to school staff/personnel
 - Physical aggression or altercation: spitting, biting, hitting, punching, kicking, fighting
 - Misuse of technology or school property that disrupts the learning environment
 - Misuse of 911
 - Persistent defiance, insubordination or noncompliance
 - Elopement
 - Trespassing
 - Harassment
 - Possession or distribution of over the counter medication
 - School truancy
 - Skipping assigned detentions, interventions or tutoring sessions
 - Theft
 - Vandalism
 - Unsafe behavior on the bus, impacting the driver's ability to safely operate the bus
- *This list represents examples and is not all inclusive.*

School Staff Interventions and Responses for Level 2 Concerns

Level 2 Interventions	Level 2 Responses/Consequences
● Teacher - facilitated interventions (See Level 1) ● Restorative conversations ● Referral to MTSS team ● Student-teacher conference and plan ● Informal consult between teacher and support team member; could include observations ● Mediation / conflict resolution ● Peer group sessions to address specific issues ● Individualized case management	● Submission of behavioral referral ● Temporary removal from the classroom or setting ● Incident investigation ● Parent or caregiver notification ● Loss of privilege(s) ● Lunch or After-school detention ● Conference with an administrator ● In-school suspension ● Out of school suspension ● Temporary suspension from participation in athletics, social events, extra-curricular activities

• Mentoring • Counseling • Behavior Support Plan	and/or transportation <i>*Preventions and interventions serve as guidelines relative to supporting student behavior and is not exhaustive of all possible actions.</i>
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Level 3 Behavioral Concerns or Misconduct

Level 3 Behavioral concerns or misconduct take into account the seriousness of the offense and the impact on the school community, even when documented interventions and supports have been in place. Support and response at this level occurs when the behavior is illegal, presents an imminent threat of serious harm to the school community, or when the student's behavior seriously affects the safety of others in the school and/or educational process.

For Level 3 responses, an administrator will engage in dialogue with the student regarding the behavior concern or misconduct, and will investigate the facts surrounding the incident. Parents/caregivers must be informed of the incident by an administrator. Depending on the severity of the incident, out of school suspensions may be assigned by the Building Principal for up to 5 days. Any suspension beyond 5 days requires a Superintendent's hearing and determination, which can lead to long-term or permanent suspension assigned by the Superintendent.

Examples of Level 3 Behavioral Concerns or Misconduct

- Persistent Tier 2 Behaviors
- Acts of racism, sexism, classism, ableism, ageism, religious intolerance and hate
- Repeated discriminatory and harmful language: racial slurs, hate speech
- Repeated bullying, intimidation, harassment, cyberbullying
- Assault with serious injury
- Use, possession, distribution, or sale of tobacco-related products
- Use, possession, distribution, sale or under the influence of drugs and/or possession of delivery devices
- Use, possession, distribution, sale or under the influence of alcohol
- Use, possession, distribution, or sale of weapons, firearms, explosives
- Possession, distribution or sale of prescription drugs
- Repeated or major theft
- Forgery/falsification of documents
- Inappropriate or forcible contact of a sexual nature or sexual misconduct
- Posing a serious threat to the safety of a large number of students or staff (bomb threat, false alarms, preventing people from evacuating, fighting)
- Significant or persistent physical altercations, fighting with serious bodily injury or harm
- Arson
- Reckless endangerment
- Gambling or indecent exposure

**This list represents examples and is not all inclusive.*

School Staff Interventions and Responses for Level 3 Concerns

Level 3 Interventions	Level 3 Responses/Consequences
• Referral to student support team • Small group counseling • Referral to Substance Abuse Counseling • Referral to MTSS Team • Revision to IEP, or referral to Committee on Special Education (CSE) or 504 • Conduct a Functional Behavioral Assessment (FBA) and development of a Behavior Intervention Plan (BIP) • Referral to outside community organizations • Alternative placement intervention and plan • Referral to Threat Assessment Team	• Lunch or After-school detention • Immediate removal from classroom or location • Incident Investigation • Parent/Caregiver notification • In-School Suspension • Temporary suspension from participation in athletics, social events, extra-curricular activities or transportation • Out of School Suspension, up to 5 days • Request for Superintendent's Hearing • Partnership with outside Law Enforcement or SRO <i>*Preventions and interventions serve as guidelines relative to supporting student behavior and is not exhaustive of all possible actions.</i>

Reporting Violations

Reporting Responsibilities:

- **Students** are expected to promptly report any violations of the Code of Conduct to a teacher, school counselor, administrator, or another trusted staff member.
- **Staff members** who are authorized to impose disciplinary consequences are expected to address violations promptly, fairly, and lawfully.
- **Staff members** who are **not authorized** to impose discipline must promptly report violations to an administrator or supervisor who can take appropriate action.

How to Report:

- Students and staff can report concerns verbally, through a written report, or through an available online reporting tool, as applicable within buildings. Reports should include as much detail as possible to help school officials respond appropriately.

Comprehensive investigations are conducted when violations are reported.

Response to Violations Involving Weapons, Alcohol, or Illegal Substances

Immediate Action:

- Any weapon, alcohol, vaping device, or illegal substance found on school grounds should be immediately confiscated, if it can be done safely.
- Parents/guardians of the student involved must be notified as soon as possible.
- The appropriate disciplinary response will follow, which may include suspension or referral to law enforcement, depending on the severity of the incident.

Law Enforcement Notification:

- If a Code of Conduct violation **constitutes a crime** and **substantially affects school order or security**, the principal (or designee) must notify local law enforcement **as soon as practical, and no later than the end of the business day** the violation is discovered.
- Parent/guardian notification must also occur, first by phone, followed by a written letter mailed within 24 hours.
- The notification must clearly identify the student involved and explain the nature of the violation.

Notes:

- All reports will be handled with respect for student confidentiality, consistent with legal obligations.

- The district is committed to addressing reported concerns seriously and ensuring a safe learning environment for all.

Disciplinary Consequences, Procedures and Referrals

A. Disciplinary Responses: Consequences

Students who are found to have violated the District's Code of Conduct may be subject to any of the following consequences, either alone or in combination. The consequences listed below do not reflect a hierarchy or progression. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student's right to due process.

Consequence/Response	Imposed by:
Oral Warning	Any staff member
Referrals to Parents	Any staff member, or staff member through administration
Detention	Teachers, Building Administration, Superintendent
Suspension from Transportation	Superintendent, Board of Education
Suspension from Athletic Participation	Coaches, Director of Health, Physical Education and Athletics, Principal, Superintendent
Suspension from Social or Extracurricular Activities	Activity Advisor, Principal, Superintendent
Suspension from other privileges	Principal, Superintendent
In-school Suspension	Principal, Superintendent
Removal from Classroom	Teachers, Counselors, PPS Team Members, Building Administration
Short Term (5 days or less) Suspension from School	Principal, Superintendent, Board of Education
Long Term Suspension Hearing and Long Term Suspension (more that 5 days)	Principal, Superintendent, Board of Education
Permanent Suspension from School	Superintendent, Board of Education

Restorative mediation between student and student and/or staff and student may be offered as an alternative to disciplinary consequences in appropriate circumstances, as determined by the District.

B. Procedures

The amount of due process a student is entitled to receive before a consequence is imposed depends on the nature of the response. In all cases, regardless of the response, 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 consequence or response.

Students who are to be given consequences 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 parents will be notified and transportation home will be provided.

2. Suspension from Transportation

If a student does not comply with the behavioral expectations on the 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 Superintendent, the Board of Education or their designees. In such cases, the student's parent will become responsible for seeing that his/her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the District will make appropriate arrangements to provide for the student's education.

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

opportunity for an informal meeting with the appropriate District official imposing the suspension to discuss the conduct and the consequences involved.

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 parents 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 consequences 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 effectively manage a student’s behavior and maintain or restore authority over the classroom by using 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:

- short-term “time out” in a classroom or in an administrator’s office with a staff member present;
- sending a student into the hallway briefly;
- sending a student to the principal’s office for the remainder of the class time only; or
- sending a student to a school counselor or other District staff member support.

Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

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

A teacher may remove a disruptive student from their classroom for up to two days in accordance with the process shown below. No such student shall return to the classroom until the Principal makes a final determination pursuant to Education Law Section 3214(3-a)(c) or the period of removal expires, whichever is less.

For those disciplinary measures which remove a student from classroom instruction, provisions will be made to provide continued academic support.

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

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

The teacher must complete a disciplinary referral form and meet with the principal or his/her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal.

It is recommended that teachers work with administration in addition to the referral process, in order to communicate the conditions of the removal to the student's family and to work collaboratively to develop a re-entry plan.

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 he/she has 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 his/her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal 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.

Each teacher must keep a complete log for all cases of removal of students from his/her 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 his/her class until he/she has 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 serious response to Level 2 or 3 Behaviors that the VCS staff does not take lightly. A student who is suspended from school may not participate in any extracurricular activities on or off school grounds, including field trips, sporting events, intramurals, extracurricular activities or other school sponsored activities without the specific permission of the VCS Superintendent.

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 meeting with the principal or his/her designee. Both the

notice and informal meeting shall be in the preferred 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 meeting 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 meeting 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 his/her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within 30 business days of the date of the Superintendent's decision. Only final decisions of the Board may be appealed to the Commissioner within 30 business days of the decision.

Students who are suspended out of school may not attend classes, participate in or attend any school functions, without the specific permission of the VCS Superintendent.

Schoolwork will be made available as soon as possible to provide for continuation of the student's educational program.

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, he/she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing, the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his/her behalf.

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

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 30 business days of the date of

the Superintendent's decision. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 business days of the decision.

Students who are suspended out of school may not attend classes, participate in or attend any school functions, without the specific permission of the VCS Superintendent. Schoolwork will be made available as soon as possible to provide for continuation of the student's educational program.

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 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 of 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 on four or more occasions during a semester, or three or more occasions during a trimester. The proposed consequence is a minimum one-day suspension and up to five days suspension. The student and the student's parents 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 his/her designee (including counseling staff) shall handle all referrals of students to counseling.

2. PINS Petitions

The District may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he/she requires supervision and treatment by:

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

3. Juvenile Delinquents and Juvenile Offenders

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

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

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

Alternative Instructional Programs

When a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the District will take steps to provide alternative means of instruction appropriate to the circumstance.

Discipline of Students with Disabilities

The 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 his or her 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. 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.

Definitions

For purposes of this portion of the Code of Conduct, and consistent with applicable law and regulations, the following definitions will apply:

Behavioral Intervention Plan (BIP) means a plan that is based on the results of a functional behavioral assessment and that, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.

Controlled substance means a drug or other substance identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).

Disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:

- For more than 10 consecutive school days; or
- For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they

cumulate to more than 10 school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another. The School District determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.

Illegal drug means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional, or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.

Interim alternative educational setting (IAES) means a temporary educational placement, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that enable him or her to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's individualized education program; as well as to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

Manifestation review means a review of the relationship between the student's disability and the behavior subject to disciplinary action, which is required when the disciplinary action results in a disciplinary change of placement, and conducted in accordance with requirements set forth later in this policy.

Manifestation team means a District representative knowledgeable about the student and the interpretation of information about child behavior, the parent, and relevant members of the Committee on Special Education as determined by the parent and the District.

Removal means a removal of a student with a disability for disciplinary reasons from his or her current educational placement, other than a suspension; and a change in the placement of a student with a disability to an IAES.

School day means any day, including a partial day, in which students are in attendance at school for instructional purposes.

Serious bodily injury means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Student presumed to have a disability for discipline purposes means a student who, under the conditions set forth later in this policy, the District is deemed to have had knowledge was a student with a disability before the behavior that precipitated the disciplinary action.

Suspension means a suspension pursuant to §3214 of New York’s Education Law.

Weapon means the same as the term “dangerous weapon” under 18 USC §930(g)(2) which includes a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except a pocket knife with a blade of less than two and one-half inches in length.

Authority of School Personnel to Suspend or Remove Students with Disabilities

The Board, District Superintendent, Superintendent of Schools or a principal with authority to suspend students under the Education Law may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days.

The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed ten consecutive school days inclusive of any period in which the student has been suspended or removed for the same behavior pursuant to the above paragraph, if the Superintendent determines that the student’s behavior warrants the suspension. The Superintendent also may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as the suspensions do not constitute a disciplinary change of placement.

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student’s behavior was not a manifestation of the student’s disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a student without a disability.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability to an IAES to be determined by the Committee on Special Education for a period of up to 45 school days if the student either:

- Carries or possesses a weapon to or at school, on school premises or to a school function, under the jurisdiction of the educational agency, or
- Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the District’s jurisdiction, or
- Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the District’s jurisdiction.

The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student’s behavior is a manifestation of the student’s disability. However, the Committee on Special Education will determine the IAES.

Procedures for the Suspension or Removal of Students with Disabilities by School Personnel

1. In cases involving the suspension or removal of a student with a disability for a period of five consecutive school days or less, the student's parents or caregivers will be notified of the suspension and given an opportunity for an informal meeting in accordance with the same procedures that apply to such short term suspensions of student without a disabilities.
2. The suspension of students with disabilities for a period in excess of five school days will be subject to the same due process procedures applicable to students without a disability, except that the student disciplinary hearing conducted by the Superintendent or a designated hearing officer shall be bifurcated into a guilt phase and a penalty phase. Upon a finding of guilt, the Superintendent or the designated hearing officer will await notification of the determination by the manifestation team as to whether the student's behavior was a manifestation of his or her disability. The penalty phase of the hearing may proceed after receipt of that notification. If the manifestation team determined that the behavior was not a manifestation of the student's disability, the student may be disciplined in the same manner as a student without a disability, except that he or she will continue to receive services as set forth below. However, if the behavior was deemed a manifestation of the student's disability, the hearing will be dismissed, unless the behavior involved weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, in which case the student may still be placed in an IAES.

Limitation on Authority of School Personnel to Suspend or Remove Students with Disabilities

The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals as set forth above in the Definitions section of this policy, unless:

1. The manifestation team determines that the student's behavior was not a manifestation of the student's disability, or
2. The student is removed to an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury as set forth above.

School personnel will consider any unique circumstances on a case-by-case basis when determining whether a disciplinary change in placement is appropriate for a student with a disability who violates the District's Code of Conduct.

In addition, school personnel may not suspend or remove a student with a disability in excess of the amount of time that a student without a disability would be suspended for the same behavior.

Parental Notification of a Disciplinary Change of Placement

The District will provide the parents of a student with a disability notice of any decision to make a removal that constitutes a disciplinary change of placement because of a violation of the student Code of Conduct. Such notice will be accompanied by a copy of the procedural safeguards notice.

Authority of an Impartial Hearing Officer to Remove a Student with a Disability

An impartial hearing officer may order the placement of a student with a disability to an IAES for up to 45 school days at a time if he or she determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others. This authority applies whether or not the student's behavior is a manifestation of the student's disability.

Manifestation Review

A review of the relationship between a student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student's disability will be made by the manifestation team immediately, if possible, but in no case later than 10 school days after a decision is made by:

1. The Superintendent to change the placement of a student to an IAES;
2. An impartial hearing officer to place a student in an IAES; or
3. The Board, the Superintendent, or principal to impose a suspension that constitutes a disciplinary change in placement.

The manifestation team must determine that the student's conduct was a manifestation of the student's disability if it concludes that the conduct in question was either:

1. Caused by or had a direct or substantial relationship to the student's disability, or
2. The direct result of the District's failure to implement the student's individualized education program.

The manifestation team must base its determination on a review of all relevant information in the student's file including the student's individualized education program, any teacher observations, and any relevant information provided by the parents.

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the Committee on Special Education (CSE) will:

1. Conduct a functional behavioral assessment of the student and implement a behavioral intervention plan, unless the District had already done so prior to the behavior that resulted in the disciplinary change of placement occurring. However, if the student already has a behavioral intervention plan, the CSE will review the plan and its implementation, and modify it as necessary to address the behavior; and
2. Return the student to the placement from which he or she was removed, unless the change in placement was to an IAES for conduct involving weapons, illegal

drugs or controlled substances or the infliction of serious bodily injury, or the parents and the District agree to a change in placement as part of the modification of the behavioral intervention plan.

If the manifestation team determines that the conduct in question was the direct result of the District's failure to implement the student's individualized education program, the District will take immediate steps to remedy those deficiencies.

Services for Students with Disabilities during Periods of Suspension or Removal

Students with disabilities who are suspended or removed from their current educational setting in accordance with the provisions of this policy and applicable law and regulation will continue to receive services as follows:

1. During suspensions or removals of up to 10 school days in a school year that do not constitute a disciplinary change in placement, the District will provide alternative instruction to students with disabilities of compulsory attendance age on the same basis as students without a disability. Students with disabilities who are not of compulsory attendance age will receive services during such periods of suspension or removal only to the same extent as students without a disability of the same age would if similarly suspended.
2. During subsequent suspensions or removals of up to 10 school days that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, the District will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their respective individualized education program. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to comply with this requirement.

In addition, during such periods of suspension or removal the District will also provide students with disabilities services necessary for them to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

3. During suspensions or removals in excess of 10 school days in a school year that constitute a disciplinary change in placement, including placement in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, the District will provide students with disabilities services necessary to enable them to continue to participate in the general curriculum, to progress toward meeting the goals set out in their respective individualized education program, and to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so it does not recur.

In such an instance, the Committee on Special Education will determine the appropriate IAES and services to be provided.

Students Presumed to Have a Disability for Discipline Purposes

The parent of a student who is facing disciplinary action but who was not identified as a student with a disability at the time of misconduct has the right to invoke any of the protections set forth in this policy in accordance with applicable law and regulations, if the District is deemed to have had knowledge that the student was a student with a disability before the behavior precipitating disciplinary action occurred and the student is therefore a student presumed to have a disability for discipline purposes.

If it is claimed that the District had such knowledge, it will be the responsibility of the Superintendent, principal or other authorized school official imposing the suspension or removal in question for determining whether the student is a student presumed to have a disability for discipline purposes. The District will be deemed to have had such knowledge if:

1. The student's parents expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student that the student is in need of special education. Such expression may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
2. The student's parent has requested an evaluation of the student; or
3. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the District's Director of Special Education or other supervisory personnel.

Nonetheless, a student will not be considered a student presumed to have a disability for discipline purposes if notwithstanding the District's receipt of information supporting a claim that it had knowledge the student has a disability,

1. The student's parent has not allowed an evaluation of the student; or
2. The student's parent has refused services; or
3. The District conducted an evaluation of the student and determined that the student is not a student with a disability.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other student without a disability who engaged in comparable behaviors. However, if the District receives a request for an individual evaluation while the student is subjected to a disciplinary removal, the District will conduct an expedited evaluation of the student in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student shall remain in the educational placement determined by the District which can include suspension.

Expedited Due Process Hearings

The District will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:

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

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

When an expedited due process hearing has been requested because of a disciplinary change in placement, a manifestation determination, or because the District believes that maintaining the student in the current placement is likely to result in injury to the student or others, the student will remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the period of removal, whichever occurs first unless the student's parent and the District agree otherwise.

Referral to Law Enforcement and Judicial Authorities

Consistent with its authority under applicable law and regulations, the District will report a crime committed by a student with a disability to appropriate law enforcement and judicial authorities. In such an instance, the Superintendent will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration to the appropriate authorities to whom the crime is reported, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

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.

Physical Restraint

Physical restraint shall only be used in a situation in which immediate intervention involving the use of reasonable physical force is necessary to prevent imminent danger of serious physical harm to the student or others.

The District will file all complaints about the use of corporal punishment with the Commissioner

of Education in accordance with Commissioner's regulations.

Student Searches and Interviews

The school is committed to maintaining a safe and respectful learning environment. To help ensure everyone's safety and uphold school expectations, students may sometimes be questioned or searched by school officials.

A. Interviewing Students

School officials (like principals, assistant principals, counselors, or PPS members) may ask students questions if they believe the student may have information about a situation involving school rules or the law. Students are expected to answer honestly and respectfully.

- Students do **not** need to receive a "Miranda" warning (like what police must give) when being questioned by school staff.
- Staff are **not** required to contact a parent before asking questions.
- Whenever possible, school staff will explain to the student **why** they are being asked questions.

B. Searching Students or Their Belongings

If a school official has a reasonable suspicion, a fair and individualized reason to believe that a student is violating school rules or the law, they may search the student or their belongings (such as a backpack, purse, or car on school grounds). The search must be related to the reason and not more intrusive than necessary.

Examples of what might be searched include:

- Backpacks
- Lockers or similarly assigned individual storage spaces
- Jackets or clothing pockets
- Vehicles parked on school grounds (with reasonable suspicion)

C. Searches Based on Information from Others

School officials may consider tips from other people when deciding whether to conduct a search. They may consider a source reliable if:

- The person appears credible and provides detailed, first-hand information;
- The information is consistent with other known facts;
- The situation involves an immediate or ongoing concern (e.g., vaping, substance use, threats to safety);
- The person is a staff member and/or known to act in good faith.

Note: School officials will use their professional judgment in deciding whether the tip is credible. This allows staff to act when a student provides a thoughtful, specific tip, even if it's the first time that student has reported something.

D. Consent and Minimally Intrusive Searches

Before searching, the student may be asked to voluntarily show or hand over the item in question. In some cases, a school official may lightly check the outside of a bag or pocket without reasonable suspicion if it's for a specific, limited safety concern.

Searches will be conducted privately, whenever possible, and students will usually be present when their belongings are searched.

E. Lockers, Desks, and School Storage Areas

Lockers, desks, and other storage areas provided by the school are school property. Students should not expect privacy in these areas, and school staff may inspect them at any time without notice or student permission.

F. Strip Searches (Extremely Rare)

Strip searches, requiring a student to remove clothing beyond outerwear, are not allowed unless:

- There is strong reason to believe the student is hiding something dangerous or illegal;
- There is advance approval from the Superintendent or school attorney (unless it's an emergency); and
- The search is done by a school official of the same sex as the student, with another same-sex school staff member present.

Strip searches are only considered in rare, serious situations and must follow strict legal guidelines. Parents will be contacted before the search whenever possible—or notified in writing afterward if unreachable.

G. Documentation of Searches

When a search is conducted, the school will document:

- The student's name, age, and grade;
- Why the search was conducted;
- Who conducted and witnessed the search;
- What was being looked for;
- The results and what was found (if anything);
- What happened to any items found;
- When and how the student's parent/guardian was notified.

Any illegal or dangerous items found will be turned over to law enforcement by the school principal or designee, who will retain proper custody of the items until they are transferred.

H. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the principal or his/her designee shall try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted by a police officer. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function. The primary goal of law enforcement is as an advisor. However, under law, police can speak to and remove a student 16 years or older for matters of law.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

E. Child Protective Services Investigations

Consistent with the District's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the District will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations. Please refer to Board Policy 5460 for a list of mandated reporters.

All requests by child protective services to interview a student on school property shall be made directly to the principal or his/her designee. The principal or his/her designee shall set the time and place of the interview. The principal or designee shall be present during the interview. If the nature of the allegations is such that it may be necessary for the student to remove any of his/her clothing in order for the child protective services worker to verify the allegations, the school nurse or other District medical personnel must be present during that portion of the interview. No student may be required to remove his/her clothing in front of a child protective services worker or School District official of the opposite sex.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he/she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

Visitors to the Schools

The Board encourages parents and other community members 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, certain limits must be set for such visits. The principal or his/her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the main office or other secure entrance upon arrival at the school. There they will be required to present their ID for verification through our electronic check-in system and will be issued a visitor's identification badge. Visitor Identification badges 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 his/her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.
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 any and all applicable Federal Aviation Administration rules and regulations.

Public Conduct on School Property

The District is committed to maintaining a safe, respectful, and orderly environment that supports teaching and learning. To ensure this, all individuals: students, staff, families,

and visitors must follow rules for appropriate conduct on school property and at school functions.

This section governs conduct for all persons on school grounds or at school events, without limiting rights to free speech or peaceful assembly under the law. Its goal is to protect the rights and safety of all members of the school community.

A. Prohibited Conduct

No person, alone or in coordination with others, shall:

1. Cause or threaten harm to others.
2. Damage or attempt to damage District property or personal property, including through graffiti, vandalism, or arson.
3. Disrupt or interfere with classes, school operations, or other authorized activities.
4. Display or distribute materials that are obscene, promote illegal acts, defame others, or interfere with others' rights or school operations.
5. Engage in harassment, discrimination, or intimidation, including based on race, color, national origin, religion, disability, gender, gender identity, sexual orientation, or other protected status (as defined by NYS Education Law §11 and DASA).
6. Enter unauthorized areas or remain on school grounds after hours without permission.
7. Block movement or restrict access to school property or events.
8. Violate traffic or parking rules on school grounds.
9. Possess, use, distribute, or be under the influence of alcohol, illegal drugs, synthetic substances, or other intoxicants.
10. Use or distribute tobacco products or e-cigarettes, in any form.
11. Possess or use weapons, unless expressly permitted by law (e.g., law enforcement).
12. Gamble, loiter, or bring unauthorized animals, in violation of District policy.
13. Refuse to comply with reasonable directions from District staff.
14. Incite or encourage others to violate this Code.
15. Violate any law, Board policy, or section of this Code while on school property or at a school function.
16. Students under the age of 16 are prohibited from riding E-Bikes or E-Scooters on school property. Students 16 and older are allowed to safely operate E-Bikes or E-Scooters on school property under the following conditions:
 - Helmets are required for ages 16-17 and recommended for all
 - Allowed only on roads
 - Must obey all traffic laws
 - Yield to pedestrians and buses
 - Park and store E-Bikes or E-Scooters in designated areas only

Prohibited Behaviors Includes:

- Riding against traffic or in restricted areas such as athletic fields, playgrounds, sidewalks
- Weaving through vehicles
- Performing tricks or stunts and reckless or unsafe riding

- Carrying passengers under the age of 16 and/or unsafely
- Charging an E-Bike or an E-Scooter on campus

B. Consequences for Violations

Consequences for violating this section of the Code include:

- **Visitors:** May be directed to leave immediately. If they refuse, they may be removed by law enforcement and/or barred from District property by the Superintendent.
- **Students:** Will be subject to disciplinary measures in accordance with due process and the District's discipline procedures outlined in the Code of Conduct.
- **Tenured Teachers:** May face discipline under Education Law §3020-a.
- **Civil Service Employees:** May be disciplined in accordance with Civil Service Law §75.
- **Other Employees:** May face warning, reprimand, suspension, or dismissal in line with applicable legal protections.

C. Enforcement

All District staff are responsible for upholding this Code.

- When a violation occurs that does not pose an immediate threat, staff should inform the individual, request that the conduct stop, and explain possible consequences.
- If the conduct poses a safety threat or the individual refuses to comply, staff may contact administration and/or law enforcement for immediate removal.
- Disciplinary action will follow based on the individual's role (student, staff, or visitor), and the District reserves the right to pursue civil or criminal charges if warranted.

Dissemination and Review

How do people learn about the VCS Code of Conduct?

The district will ensure community awareness by:

- 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.
- Providing a plain language summary to all parents at the beginning of the school year, and thereafter on request.
- Posting the Code of Conduct on the District's website.

- Providing all current staff members with a copy of the code and a copy of any amendments to the code after adoption.
- Providing all new employees with a copy of the current Code of Conduct when they are first hired.
- Making copies of the code available for review by students, parents and other community members.
- Ensuring effective implementation through ongoing professional learning.

Annual Review of the VCS 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.

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.

Appendix 1: Glossary 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 to deliberately harass or threaten others.

“An Electronic Delivery Device” (*often categorized under ENDS - Electronic Nicotine Delivery Systems*) is any product containing or delivering substances like nicotine, THC, or cannabis via vapor or aerosol. This device simulates or replaces traditional smoking while relying on battery power, heating elements, and chemical solutions.

“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 as being male or female, as distinguished from actual biological sex or sex assigned at birth.

“Harassment/bullying” (as defined in Education Law §11(7)) means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying (as defined in Education Law §11(8)), 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 his or her 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.

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:

- o race
- o color
- o weight
- o national origin
- o ethnic group
- o religion
- o religious practice
- o disability
- o sex
- o sexual orientation
- o gender (which includes a person’s actual or perceived sex, as well as gender identity and expression).

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

“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, as defined in Vehicle and Traffic Law §142.

“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 or sexuality of preference.

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

“Violent student” 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, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death. In addition, this code further prohibits the possession or display of any toy, facsimile or replica of a weapon.

Revised: 5/27/26

Approved by the Board of Education 7/9/26

Policy Cross References:

5460 – Child Abuse, Maltreatment or Neglect in a Domestic Setting