Forestville Central School District

Code of Conduct

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SECTION I

Introduction

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

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

No student will be subject to discrimination or harassment based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex.

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

Unless otherwise indicated, the Code applies to all students, school personnel, parents, and other visitors when on school property or attending any school function both at home and away venues.

SECTION II

Definitions

For purposes of the Code of Conduct, the following definitions apply.

"**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. See Education Law §3214(2-a)(b).

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

"**School property**" means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142. See Education Law §2801(1).

"**School function**" means a school-sponsored or school-authorized extra-curricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state or country. See Education Law §2801(1).

"**Violent student**" means a student under the age of 21 who:

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits an act of violence while on school property or at a school function upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possesses a weapon while on school property or at a school function.
4. Displays what appears to be a weapon while on school property or at a school function.
5. Threatens to use a weapon while on school property or at a school function.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property. See Education Law §3214(2-a)(a), §3214(2-a)(3) and (4), and §3214(6).

"**Weapon**" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box 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.

"**School Bus**" means every motor vehicle owned and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other person acting in a supervisory capacity to or from school or school activities (Education Law Section 11 [1]).

"**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 (Education Law Section 11 [4] and Executive Law Section 292 [21]).

"**Employee**" means any person receiving compensation from a school district or employee of a contracted service provider or worker placed with the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law Section s11 [4] an d1125 [3]).

"**Sexual Orientation**" means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law Section 11 [5]).

"**Gender**" means actual or perceived sex and includes a person's gender identity or expression (Education Law Section 11 [6]).

"**Harassment and Bullying**" means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonable causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law Section 11 [7]).

"**Cyberbullying**" shall mean harassment or bullying where such harassment or bullying occurs through any form of electronic communication.

"**Illegal Drug**" shall mean a controlled substance, except for those legally possessed or used under the supervision of a licensed health-care professional or those legally possessed or used under any other authority under the Controlled Substances Act or any other federal or New York State law.

"**Illegal Substance**" shall mean alcohol, illegal drugs or inhalants, including, but not limited to, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs.

"**Controlled Substance**" shall mean a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations that apply to this Code.

Dignity for All Students Act(DASA)

The Forestville Central School District is committed to providing a safe, supportive environment free from harassment, bullying and discrimination for all students. The District encourages the involvement of staff, students, parents, and community members in the implementation and reinforcement of the Dignity for All Students Act ("DASA").

All complaints will be treated in a confidential manner. Anonymous reports may limit the district's ability to respond to the complaint. A prompt and thorough investigation will be conducted for all incident reports. Our DASA coordinators are:

Elementary Principal (716) 965-2742

Middle School / High School Principal (716) 965-2711

SECTION III

Student Rights and Responsibilities

A. **Student Rights**

The District is committed to safeguarding the rights given to all students under state and federal laws.

In addition, to promote a safe, healthy, orderly, and civil school environment, all District students have the right to:

1. Take part in all District activities on an equal basis regardless of race, color, creed, national origin, religion, gender, sexual orientation, or disability.
2. Present their version of relevant events to school personnel authorized to impose a disciplinary penalty.
3. Access school rules and, when appropriate, receive an explanation of those rules from school personnel. See 8 NYCRR 100.2(l)(2)(ii)(o).
4. To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function, or activity.

B. **Student Responsibilities**

All District students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning.
2. Show respect to other persons and property.
3. Be familiar with and abide by all District policies and regulations as well as school and classroom rules dealing with student conduct.
4. Attend school every day unless they are legally excused and be in class on time and prepared to learn.
5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest possible level of achievement.
6. React to direction given by teachers, administrators and other school personnel in a respectful and positive manner.

7. Develop and demonstrate anger management skills.
8. Ask questions when they do not understand behavioral or academic expectations.
9. Seek help in solving problems that might lead to discipline interventions.
10. Dress appropriately for school and school-related functions.
11. Accept responsibility for their actions.
12. Conduct themselves as representatives of the District when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
13. To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

SECTION IV

Essential Partners

A. **Parents**

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure all absences are legal and excused.
5. Insist that their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe and orderly environment.
7. Know school and classroom rules and help their children understand and follow all rules.
8. Convey to their children a supportive attitude toward education and the District.
9. Build positive relationships with teachers and other members of the school community.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed in timely manner.
13. Teach their children respect and dignity for themselves, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for all Students Act.

B. **Teachers and other professional staff (all employees) All District teachers are expected to:**

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion,

religious practice, disability, sexual orientation, gender/gender identity, or sex, that will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach effectively.
3. Demonstrate a high interest in teaching and concern for student achievement.
4. Know District policies and school rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents their:
   A. Course objectives and requirements
   B. Marking/grading procedures
   C. Assignment deadlines
   D. Behavioral and academic expectations for students
   E. Classroom discipline management plan.
6. Communicate regularly with students, parents, and other teachers concerning student behavioral and academic achievement issues.
7. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report incidents of discrimination and harassment that are witnessed and otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

C. **School Counselors**

All District school counselors are expected to:

1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.

7. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
8. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

D. **Principals**

All District principals are expected to:

1. Promote a safe, orderly, and stimulating school environment that supports active teaching and learning.
2. Ensure that students and staff have opportunities to communicate regularly with the principal and to approach the principal.
3. Evaluate all instructional programs on a regular basis. The Superintendent retains authority for the overall instructional program, e.g.: ". . and provide feedback regarding the same to the Superintendent.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct and ensure that all discipline cases are resolved promptly and fairly.
6. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
7. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner.
8. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

E. **Superintendent**

The superintendent of schools is expected to:

1. Promote a safe, orderly, and stimulating school environment, free from intimidation, discrimination and harassment, that supports active teaching and learning.
2. Review with District administrators the policies of the Board and state and federal laws relating to school operations and management.
3. Inform the Board about educational trends and serious issues relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with District administrators in enforcing the Code of Conduct and ensure that all cases are resolved promptly and fairly.

F. **Board of Education**

The Board is expected to:

1. Collaborate with student, teacher, administrator, and parent organizations, and other school personnel to develop and amend this Code of Conduct to clearly define expectations for the conduct of students, District personnel, and visitors on school property and at school-related functions.
2. Adopt then and review at least annually the District's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting Board meetings in a professional, respectful, and courteous manner.
4. Appoint a Dignity Act Coordinator(s) in each school building. The Dignity Act Coordinator(s) will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator(s) will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.

SECTION V

Dress Code

The dress code supports equitable educational access and is written in a manner that does not reinforce stereotypes or increase marginalization or oppression of any group based on race, gender, ethnicity, religion, sexual orientation, household income, gender identity or cultural observance.

Values:

1. All students should be able to dress comfortably for school without fear of unnecessary discipline or body shaming.
2. All students and staff should understand that they are responsible for managing their own personal attire without feeling it necessary to regulate another's clothing and/or self-expression.
3. Teachers can focus on teaching without the additional and often uncomfortable burden of dress code enforcement.
4. Consistent staff adherence to the Goals and Expectations.

Goals:

1. To maintain a safe learning environment in classes where protective or supportive clothing is needed, such as technology, science (eye or body protection), or PE (athletic attire/shoes).
2. Allow students to wear clothing of their choice that is comfortable.
3. Allow students to wear religious attire without fear of discipline or discrimination.
4. Prevent students from wearing clothing with offensive images or language, including profanity, hate speech, and pornography.
5. Prevent students from wearing clothing with images or language depicting or advocating violence or the use of alcohol or drugs.
6. Ensure that all students are treated equitably regardless of gender/gender identification, sexual orientation, race, ethnicity, body type/size, religion, and personal style.

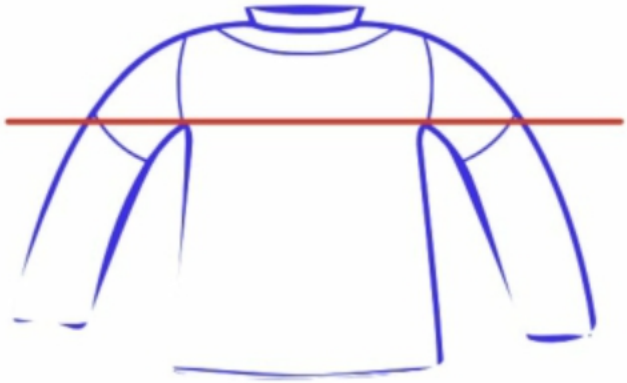
Expectations:

FCS expects that all students will dress in a way that is appropriate for the school day or for any school sponsored event. Student dress choices should respect the school's intent to sustain a community that is inclusive of a diverse range of identities. The

primary responsibility for a student's attire resides with the student and their parent(s) or guardian(s). Forestville Middle and High School is responsible for seeing that student attire does not interfere with the health or safety of any student, and that student attire does not contribute to a hostile or intimidating atmosphere for any student.

1. Clothes must be worn in a way such that all private areas (genitals, buttocks, etc.) are always covered.

2. All students must wear a shirt that has material from armpit to armpit (illustrated to the right) with fabric in the front, back, and on the sides under the arms, bottom attire, and footwear. Also, the shirt may be raised no higher than the top of the navel (belly button).



3. Students are permitted to wear:
   A. Hats, including religious headwear. Hats must allow the face to be visible to staff, and not interfere with the line of sight of any student or staff.
   B. Hoodie sweatshirts (not to be worn over the head)
   C. Fitted pants, sweatpants, shorts, skirt, dress, including leggings, yoga pants and "skinny jeans"
   D. Ripped jeans, as long as underwear is not exposed.
   E. Athletic attire
   F. Clothing with commercial or athletic logos

4. Students may not wear:
   A. Profanity, violent language, or images.
   B. Images or language depicting drugs or alcohol (or any illegal item or activity) or the use of the same.
   C. Hate speech or pornography.
   D. Clothing, including gang identifiers, must not threaten the health or safety of any student or staff.
   E. Images or language that creates a hostile or intimidating environment based on any protected class.
   F. Undergarments must not be worn alone.
   G. Swimsuits
   H. Accessories that could be considered dangerous or could be used as a weapon.

I. Any headgear that obscures the face (except as a religious observance or as personal protective equipment PPE).
J. Blankets

Enforcement:

To ensure effective and equitable enforcement of the dress code, school staff shall enforce the dress code consistently using the requirements below.

1. Students will only be removed from spaces, hallways, or classrooms as a result of a dress code violation as outlined in Expectations 1 to 4.
2. Staff may refer students with questionable attire to administration using a standard discipline referral form.
3. If a violation occurs, the student will be expected to change their clothing to align with the Dress Code Expectations.
4. Asking students to account for their attire in the classroom or hallways in front of others is strongly discouraged. This should be handled privately.

The dress code guidelines shall apply to regular school days and summer school days, as well as any school-related events and activities, such as graduation ceremonies, dances, and prom. Student athletic apparel will be defined by safety and competitive performance standards.

SECTION VI

Prohibited Student Conduct

The Board expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, District personnel, and other members of the school community, and for the care of school facilities and equipment.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior.

District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in the area of self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear.

Students may also be subject to discipline for off-campus misconduct that would foreseeably create a risk of substantial disruption within the school environment.

The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others.

Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences of their misconduct.

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

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

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar, or abusive.
4. Obstructing vehicular or pedestrian traffic.

5. Engaging in any willful act which disrupts the normal operation of the school community.
6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the District's acceptable use policy.
8. Students will behave appropriately while riding District buses.
9. Students are required to conduct themselves, while riding on the bus, with District policies (Policy 7340, Bus Rules) Behaviors such as excessive noise, pushing, shoving and fighting will not be tolerated on the school bus or while waiting for the school bus.

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

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing, or leaving school without permission.
3. Skipping detention.

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

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students
2. Substantially interfering with the educational process.
3. Significantly interfering with a teacher's ability to perform instructional duties.
4. Significantly interfering with the opportunity for others to learn.
5. Being late for school or class.
6. Being unprepared for class.
7. Unauthorized use of electronic devices, including but not limited to cell phones, tablets, etc.

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

1. Committing or threatening an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator, or other school employee or attempting to do so.
2. Committing or threatening an act of violence (such as hitting, kicking, punching, and scratching) upon another student, or any other person lawfully on school property, or attempting to do so.
3. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause another individual to fear for his or her physical well-being.
4. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
5. Displaying what appears to be a weapon.
6. Threatening to use any weapon.
7. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other District employee, or any person lawfully on school property, including graffiti or arson.
8. Intentionally damaging or destroying school district property.

E. **Engage in any conduct that endangers the safety, morals, health, or welfare of others.** Examples of such conduct include:

1. Lying to school personnel.
2. Stealing the property of other students, school personnel, or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This can include posting or publishing video, audio recordings, or pictures (written material, cell phones, Internet, YouTube, etc.).
4. Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of recognized guide dog, hearing dog, or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function.

5. Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional, or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender, or sex.
6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
7. "Internet bullying" (also referred to as "cyberbullying") including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means , when such use interferes with the operation of the school; or infringes upon the general safety and welfare of students or employees.
8. Bullying…Bullying is a form of aggressive behavior in which someone intentionally and repeatedly causes another person injury or discomfort. Bullying can take the form of physical contact, words, or more subtle actions.
9. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with, or maintaining membership in any school sponsored activity, organization, club or team.
10. Selling, using or possessing obscene material.
11. Using vulgar or abusive language, cursing, or swearing.
12. Smoking a cigarette, including vapor and/or e-cigarettes (and associated liquid substances), cigar, pipe or using chewing or smokeless tobacco.
13. Possessing, consuming, selling, distributing, exchanging, attempting to sell or exchange or facilitating the sale of alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs." Possessing, selling, and solicitation of prescription and OTC drugs; the attempted sale or exchange of such drugs; and facilitating the sale or exchange of such drugs.
14. Gambling.
15. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
16. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.

17. Retaliating against any individual who files a complaint of discrimination, harassment, or bullying, or who participates in an investigation regarding the same.
18. Engaging in any form of academic misconduct. Examples of academic misconduct include but are not limited to plagiarism, cheating, copying, altering records, assisting another student in any of the above actions.

F. **Engage in misconduct while on a school bus.**

The Board of Education believes it is crucial for students to behave appropriately while riding on district buses, to insure their safety, that of other passengers, and the fewest possible distractions for bus drivers. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior (see Board of Education Policy 7340, Bus Rules).

Some students are eligible for District transportation. While the law requires the District to furnish transportation for such students, it does not relieve parent(s) or guardian(s) of the responsibility for supervision until such time as the child boards the bus in the morning and after the child leaves the bus at the end of the regular school day. Only after a child boards the bus does he/she become the responsibility of the District. Such responsibility shall end when the child is delivered to the regular bus stop at the close of the school day. If the student does not ride the regular school bus home directly from school, the student is considered a "walker." The District is not responsible for the supervision of "walkers" once school is dismissed at the end of the regular school day.

Since the school bus may be regarded as an extension of the classroom, children are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated. It is important that those waiting for buses conduct themselves properly in respect to the rights and property of others.

If a child does not conduct himself/herself properly on a bus, such instances shall be brought to the attention of the building principal by the bus driver. Only the building principals and the superintendent have the authority to suspend the riding privileges of students who are disorderly or insubordinate on the bus. In such cases, the parent(s) or guardian(s) of those students become responsible for seeing that their children get to and from school safely. Should the suspension from transportation amount to a suspension from attendance at school, the school district will make appropriate arrangements to provide for the student's education. Any such

suspension shall be in accordance with the provisions of the Education Law. The parent or guardian is expected to make transportation arrangements for their child in the case of a suspension from transportation.

Mere inconvenience to the parent or guardian does not constitute a suspension from attendance at school. The parent or guardian shall ensure that the student still attends school unless there is a legal reason for an absence.

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

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering records.
5. Assisting another student in any of the above actions.

SECTION VII

Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a teacher, school counselor, the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee, or the superintendent.

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

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

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

SECTION VIII

Disciplinary Procedures, Penalties, and Referrals

A. **Procedures**

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

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

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

As a general rule, discipline may be progressive. Determinations regarding student discipline will be made on a case-by-case basis, and penalties will be issued after taking the above-listed factors into consideration.

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

B. **Discipline Management Techniques**

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

1. Verbal correction/warning/reprimand/student conference – any member of the District staff.
2. Cooling-off period or "time out" - monitors, teachers, principals or designee, superintendent.
3. Seating changes - monitors, bus drivers, teachers, principals or designee, superintendent.
4. Assigned school duties other than class tasks - teachers, principals or designee, superintendent. (Ex. Research paper on appropriate topic).
5. Written warning – teachers, principal or designee, superintendent.
6. Student conference with teachers, principals, superintendent.
7. Written notification to parent – teachers, principal or designee, superintendent.
8. Parent-teacher conference - teachers, principals or designee, superintendent.
9. Behavior agreement or contract - teachers, principals or designee, superintendent.
10. Temporary confiscation of items that are against school rules or disrupt the educational process - any member of the District staff.
11. Grade reductions for academic misconduct - teachers, principals, superintendent.
12. Restitution of damages or loss - principals, superintendent.
13. Detention – teachers, principals or designee, superintendent.
14. Suspension from transportation - principals or designee, superintendent.
15. Suspension from athletic participation – coaches, athletic director, principal, superintendent.
16. Suspension from social or extracurricular activities – activity sponsors or advisors, principal or designee, superintendent.
17. Suspension of other privileges – principal or designee, superintendent.
18. In-school suspension – principal or designee, superintendent.
19. Reassigned class - principals, superintendent.
20. Removal from classroom by teacher – teachers, principals.
21. Short-term (five days or less) suspension from school – principals,
22. superintendent, board of education.
23. Long-term (more than five days) suspension from school – superintendent, board of education.
24. Permanent suspension from school – superintendent, board of education.

C. **Descriptions of Selected Consequences**

The amount of due process a student is entitled to receive before a discipline consequence is imposed depends on the penalty being imposed. For all cases involving the selected discipline consequences listed below, the school personnel authorized to impose the penalty 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 a reasonable opportunity to present their version of the relevant facts to the school personnel imposing the disciplinary consequence.

Students who are to be given more serious discipline consequences are entitled to additional rights before the penalty is imposed. These additional rights are described below.

1. **Detention**

Teachers, principals or their designee, and the superintendent may use before school, after school, or lunch detention as a consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate. After school detention will be imposed as a consequence only after the student's parent has been notified to confirm that the student has appropriate transportation home following detention.

2. **Suspension from transportation**

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principals or their designees or the superintendent. In such cases, the student's parent will become responsible for seeing that his or 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 parent may be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to

discuss the misconduct and the penalty involved (see Board Policy 7340, Bus Rules).

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

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the suspension to discuss the misconduct and the penalty involved. Procedures for participation in athletic programs are described in the Athletic Handbook. Procedures for specific extracurricular organizations will be handed out and discussed in respective organizational meetings. Extra-curricular activities may establish standards of behavior, including consequences for misbehavior, that are stricter than those for students in general. If a violation is also a violation of school rules, the consequences specified by the Code of Conduct and the Student Handbook will apply in addition to any consequences specified by the organization.

4. **In-school suspension**

The Board recognizes that the school must balance the need for students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals, their designees, and the superintendent to place students who would otherwise be suspended from school as the result of a Code violation in "in-school suspension." In-school suspension will be supervised by a teacher or aide.

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

5. **Teacher disciplinary removal of disruptive students**

A student's misbehavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can influence a student's behavior and maintain or restore control over the classroom by using good classroom management techniques.

Such techniques may include, but are not limited to: (1) short-term "time out" in a classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the principal's office for the remainder of the class time only; or (4) sending a student to a school counselor or other District staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become substantially disruptive.. Substantial disruptions occur when a student demonstrates a persistent unwillingness to comply with the teacher's instructions, repeatedly violates the teacher's classroom or school behavior rules, or commits a serious act of misconduct.

A classroom teacher may remove a disruptive student from class for up to five days. The removal from class only applies to the class of the removing teacher.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or 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, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24-hours.

The teacher must complete a District-established disciplinary removal form and meet with the principal or designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal. If the principal or designee is not available by the end of the same school day, the

teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day if possible.

Within 24-hours after the student's removal, the principal or designee must notify the student's parents that the student has been removed from class and why. This notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or designee to discuss the reasons for the removal.

The notice may be provided by phone, by written notice delivered by the student, personal delivery, express mail delivery, or any other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents.

During the period of removal the disruptive student shall be offered continued educational programming through alternative means. This may be accomplished by providing class work, assignments, and assistance as needed by another staff member to include aides.

6. **Suspension from school**

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

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building 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 principal or superintendent, 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 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 verbally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

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

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

After the conference, the principal shall promptly advise the parents in writing of his or 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 with the District clerk within 10 business days of the date of the superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

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

When the superintendent determines that a suspension for more than five days may be warranted, he or 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 or her behalf.

The superintendent shall personally hear and determine the proceeding or may, in his or 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 or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

c. **Permanent suspension**

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

D. **Minimum Periods of Suspension**

1. **Students who bring a weapon to school**

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

1. The student's age.
2. The student's grade in school.
3. The student's prior disciplinary record.
4. The superintendent's belief that other forms of discipline may be more effective.
5. Input from parents, teachers and/or others.
6. Other extenuating circumstances.

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

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a

case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

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

The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

E. **Referrals**

1. **Counseling**

The School Counseling Office shall handle all referrals of students to counseling.

2. **PINS Petitions**

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

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

3. **Juvenile Delinquents and Juvenile Offenders**

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

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

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

4. **Human Services Agencies**

The Superintendent of Schools shall make a referral of a student discipline case to an appropriate human service agency whenever, in his or her judgment, the same is warranted. The Superintendent may receive and consider the recommendations of the student's principal, teachers, counselor, school psychologist and other pupil services personnel familiar with the student in deciding whether to make such a referral and, if so, to which agency. The parent of the student shall be informed of the referral.

SECTION IX

Alternative Instruction

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

SECTION X

Discipline of Students with Disabilities

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

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

A. **Change of Placement Rule**

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

    a. for more than 10 consecutive school days; or
    b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an Interim Alternative Educational Setting (IAES) for behavior involving weapons, illegal drugs or controlled substances.

B. **Referral to Law Enforcement and Judicial Authorities**

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

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

SECTION XI

Corporal Punishment

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

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

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

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

SECTION XII

Student Searches and Interrogations

The board of education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the District Code of Conduct.

Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials should tell all students why they are being questioned.

In addition, the Board authorizes the superintendent, building principals or designee, the school nurse, and District professional staff to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the District's Code of Conduct (see Board Policy 7330, Searches and Interrogations of Students).

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

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than District employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical

evidence that they violated the law or the District's Code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

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

A. **Student Lockers, Desks and other School Storage Places**

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks, other school storage places, District issued computers, tablets or other electronic devices.

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

B. **Vehicle Searches**

The District retains the authority to conduct routine inspections of the exteriors of vehicles in school parking lots. Vehicles parked on school property are under the jurisdiction of the school. The school may search any vehicle driven to school by a student any time there is reasonable cause to suspect that contraband might be in the vehicle with or without the presence of the student. A student has full responsibility for the security of his or her vehicle and must make certain that it is locked and that the keys are not given to others.

The District may use contraband detection canines to aid in searches of school property and vehicles parked on school property. If a search yields contraband, such contraband shall be turned over to appropriate law enforcement agencies for disposition.

C. **Documentation of Searches**

The authorized school official conducting a search should promptly record the following information about each search if other than of desks, lockers and other school storage places:

a. Name, grade of student(s) searched.

b. Reasons for the search.
c. Scope of the search.
d. Person(s) conducting the search.
e. Date, time and location(s) of the search.
f. Results of search (that is, what items(s) were found).
g. Disposition of items found.
h. Parental notification.

The building principal or the principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item(s) is/are turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

D. **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:

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

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to notify the parent about the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search may still be conducted. The principal or designee should also be present during any police questioning or search of a student on school property or at a school function.

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:

a. They must be informed of their legal rights.

b. They may remain silent if they so desire.
c. 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.

All requests by Child Protective Services to interview a student on school property shall be made directly to the building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the Child Protective Services worker to verify the allegations, the school nurse or other District medical or health personnel should be present during that portion of the interview. No student will be required to remove his or 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 not he or 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.

SECTION XIII

Visitors to the Schools

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

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

a. Anyone who is not a regular staff member or student of the school will be considered a visitor.
b. All visitors to the school must report to the office of the principal immediately upon arrival at the school. There they will state the nature of their visit and request permission to visit school premises. If permission is granted, the visitors will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office and sign out before leaving the building.
c. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
d. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption does not occur.
e. Teachers are expected not to take class time to discuss individual matters with visitors.
f. Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
g. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct. If visitors do not abide by the rules for public conduct, their permission to visit may be revoked, and they will be required to leave school grounds.

SECTION XIV

Public Conduct on School Property

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

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

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

A. **Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school operations or administrative functions, transportation of students or staff, school programs or other school activities or events.
4. Distribute or wear materials on school grounds or at school functions that are obscene, lewd, inappropriate for view by children, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation, disability or other protected category.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this Code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.

10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this Code.
15. Violate any federal or state statute, local ordinance, or board policy while on school property or while at a school function.

B. **Penalties**

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

1. **Visitors**. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to immediate ejection, loss of privileges to attend future activities and events, may be banned from school property, and may be subject to civil or criminal legal action pursued by the District.
2. **Students**. They shall be subject to immediate ejection and disciplinary action and/or legal action as the facts may warrant, in accordance with the Code and due process requirements.
3. **Tenured faculty members**. They shall be subject to immediate ejection and/or legal and disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. **Staff members** in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and/or legal and disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. **Other staff members**. Staff members other than those described in subdivisions 4 and 5 above shall be subject to immediate ejection, warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. **Enforcement**

The superintendent and building principal or his or her designee shall be responsible for enforcing the public conduct required by this Code.

When the superintendent, building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the superintendent, principal or his or her designee should tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The superintendent, principal or his or her designee should also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the superintendent, principal or his or her designee may have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

D. **In-Service Educational Programs**

The Board will provide in-service education programs for all District staff members to ensure the effective implementation of this Code, to promote a safe and supportive school climate while discouraging, among other things, harassment, bullying and discrimination against students by students and/or school employees and to include safe and supportive school climate concepts in the curriculum and classroom management. In-service education programs shall also include training on the social patterns of harassment, bullying and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, the identification and mitigation of harassment, bullying and discrimination, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings. The Superintendent may solicit the recommendations of the District staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

SECTION XV

Dissemination and Review

A. **Dissemination of Code of Conduct**

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

a. Providing copies of a summary of the Code to all students at a general assembly held at the beginning of each school year.
b. Making copies of the Code available to all parents at the beginning of the school year.
c. Mailing a summary of the Code of Conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
d. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption.
e. Providing all new employees with a copy of the current Code of Conduct when they are first hired.
f. Making copies of the Code available for review by students, parents and other community members.

The Board will sponsor an in-service education program for all District staff members to ensure the effective implementation of the Code of Conduct. The superintendent may solicit the recommendations of the District staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

B. **Review of Code of Conduct**

The Board 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 may appoint an advisory committee to assist in reviewing the Code and the District's response to Code of Conduct violations. The advisory committee will be made up of representatives of student, teacher, administrator, and parent organizations, 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 no later than 30 days after adoption.

Non-Discrimination Statement

The Forestville Central School District does not discriminate in its employment and admission to programs and activities as applicable, on the basis of actual or perceived race, color, creed, sex, sexual orientation, national origin, religion, age, economic status, marital status, veterans' status, political affiliation, domestic victim status, use of a guide dog, hearing dog or service dog, disability, or other classifications protected under federal or state law, and provides equal access to the Boy Scouts and other designated youth groups. The designated district compliance officers will coordinate compliance with the nondiscrimination requirements of Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, as amended, the Boy Scouts of America Equal Access Act, and the New York State Human Rights Law.

The Forestville Central School District Compliance Officers are: Superintendent, 12 Water Street, Forestville, NY 14062 (716) 965-6539, MS/HS Principal, 4 Academy Street, Forestville, NY 14062 (716) 965-2711, Elementary Principal, 12 Water Street, Forestville, NY 14062 (716) 965-2742. Complaints may also be filed with the Office for Civil Rights, New York Office, U.S. Department of Education, 32 Old Slip, 26th Floor, New York, NY 10005-2500, phone (646) 428-3800, fax (646) 428-3843, email: OCR.NewYork@ed.gov.

Acts of Misconduct Defined

Members of the school community are required to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of others, including students, employees and other members of the school community. The commission of any of the following acts on school district property or at school district functions is prohibited.

A. Infractions that are Reportable as "**Violent and Disruptive Incidents**" as defined by the Annual Reporting of Incidents Concerning School Safety and Educational Climate (SSEC)

1. **Homicide**: Any intentional violent conduct that results in the death of another person.

2. **Sexual Offenses**:

   2.1. Forcible Sexual Offenses: Sex offenses involving forcible compulsion and completed or attempted sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact with or without a weapon including but not limited to penetration with a foreign object, rape and sodomy; or resulting from forcibly touching or grabbing another student on a part of the body that is generally regarded as private, such as buttocks, breast, genitalia.

   2.2. Other Sex Offenses: Other non-consensual sex offenses involving inappropriate sexual contact, including, but not limited to: touching another student on a part of the body that is generally regarded as private, which includes, but is not limited to, the buttocks, breasts, and genitalia, removing another student's clothing to reveal underwear or private body parts, or brushing or rubbing against another person in a sexual manner. Other sex offenses shall also include, but not be limited to conduct that may be consensual or involve a child who is incapable of consent by reason of disability or because he or she is under 17 years of age, provided that such term shall not include consensual sexual conduct involving only students, and/or non-students 18 years of age or under unless at least one of the individuals participating in the conduct is at least four years older than the youngest individual participating in this conduct.

3. **Assault**: Engaging in behavior intentionally or recklessly that causes physical injury to another person, with or without a weapon, in violation of school district code of conduct and falls under one of these categories:

   3.1. **Physical Injury**: Means impairment of physical condition or substantial pain and includes, but is not limited to, black eyes, welts, abrasions, bruises, cuts not requiring stitches, swelling and headaches not related to a concussion.

   3.2. **Serious Physical Injury**: Means physical injury which causes substantial risk of death, or which causes death or serious and protracted disfigurement, or protracted impairment of health, or the protracted loss or impairment of the function of any bodily organ and requires hospitalization or treatment in an emergency medical care facility outside of school, including but not limited to, a bullet wound, fractured or broken bones or teeth, concussions, cuts requiring stitches and any other injury involving risk of death or disfigurement.

4. **Weapons Possession**: Possession of one or more weapons, except possession in a classroom or laboratory as part of an instructional program or in a school-related activity under the supervision of some teacher or other school personnel as authorized by school officials and falls under one of these categories:

   4.1. **Routine Security Checks**: Possession of one or more weapons (see list below) secured through routine security checks. Weapons: means one or more of the following dangerous instruments:

      4.1.1. A firearm, including, but not limited to, a rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, spring gun, BB gun, or paint ball gun;

      4.1.2. A switchblade knife, gravity knife, pilum (javelin), ballistic knife, cane sword, dagger, stiletto, dirk, razor, box cutter, metal knuckle knife, utility knife, or any other dangerous knife;

      4.1.3. A billy club, blackjack, bludgeon, chukka stick, or metal knuckles;

      4.1.4. A sand bag or sand club;

      4.1.5. A sling shot or slungshot;

4.1.6. A martial arts instrument, including, but not limited to, a kung fu star, ninja star, nunchuck, or shirken star;

4.1.7. An explosive, including but not limited to, a firecracker or other fireworks;

4.1.8. A deadly or dangerous chemical, including, but not limited to, a strong acid or base, mace, or pepper spray;

4.1.9. An imitation gun that cannot be easily distinguished from a real gun;

4.1.10. A loaded or blank cartridges or other ammunition; or

4.1.11. Any other deadly or potentially dangerous object that is used with the intent to inflict injury or death.

4.2. **Weapons Possessed Under Other Circumstances**: Possession of one or more weapons at a school function or on school property which are not discovered through a routine security check, including but not limited to, weapons found in possession of a student or within a locker.

5. **Material Incident of Discrimination, Harassment, and Bullying** (excluding Cyberbullying):

5.1. A single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, as defined in Commissioner's regulation §100.2 (kk) (1) (vii). Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, 14 religious practice, disability, sexual orientation, gender, or sex. Commissioner's regulation 100.2 (KK) (1) (viii) provides that harassment or bullying means the creation of a hostile environment by conduct or by threats, intimidation or abuse that either: (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or

5.2. reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition shall include acts of harassment or bullying that occur on school property, at a school function, or off school property where such act 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 the purposes of this definition the term "threats, intimidation or abuse "shall include verbal and non verbal actions. · Bullying is defined as a form of unwanted, aggressive behavior that involves a real or perceived power imbalance and that is repeated, or has the potential to be repeated, over time. Please note the following "elements of bullying" do not solely determine whether an incident is material.

5.2.1. Imbalance of power: An imbalance of power involves the use of physical strength, popularity, or access to embarrassing information to hurt or control another person.

5.2.2. Repetition: Bullying typically repeated, occurring more than once or having the potential to occur more than once.

5.2.3. Intent to Harm: The person bullying has the goal to cause harm. Bullying is not accidental. Discrimination not specifically defined in the Dignity Act. However, it would include any form of discrimination against students prohibited by state or federal law such as, for example, the denial of equal treatment, admission, and/or access to programs, facilities, and services based on the person's actual or perceived race, color weight, gender (including gender identity), or sex. It should be noted that Educational Law §3201 and 3201-a prohibit discrimination in the form of denial of admission into or exclusion from any public school on the basis of race, creed, color, national origin, and sex.

5.3. **Cyberbullying**: Is defined as harassment or bullying that occurs through any form of electronic communication, (Ed. Law §11[8]) including, but not limited to, cell phones, computers tablets, or other communication tools, including social media sites, text messages, chat rooms, and websites.

6. **Bomb Threat**: A telephoned, written or electronic message that a bomb, explosive, or chemical or biological weapon has been or will be placed on school property.

7. **False Alarm**: Causing a fire alarm or other disaster alarm to be activated knowing there is no danger, or through false reporting of a fire or disaster.

8. **Use, Possession Sale or Distribution of Drugs**: Illegally using, possessing, or being under the influence of a controlled substance or marijuana, on school property or at a school function, including having such substance on a person in a locker, vehicle, or other personal space; selling or distributing a controlled substance or marijuana, on school property; finding a controlled substance or marijuana, on school property that is not in the possession of any person; provided that nothing herein shall be construed to apply to the lawful administration of a prescription drug on school property.

9. **Use, Possession, Sale or Distribution of Alcohol**: Illegally using, possessing, or being under the influence of alcohol on school property or at a school function. This includes possessing alcohol on a person in a locker, a vehicle or other personal space; selling or distributing alcohol on school property or at a school function; and finding alcohol on school property that is not in the possession of any person.

10. **Arson**: Deliberately starting a fire with intent to damage or destroy property.

11. **Burglary**: Entering or remaining unlawfully on school property with intent to commit a crime.

12. **Infractions that Are Not Reportable as Violent and Disruptive Incidents**

    12.1. Attendance violations. Failing to follow attendance procedures; not reporting to designated areas at designated times; tardiness to school, class or homeroom; leaving class, assigned area, or school grounds, or final exam without permission; truancy; cutting class.

    12.2.Cheating, plagiarism, misrepresentation. Cheating is to act dishonestly by claiming the work of someone else as your own, or by enabling or permitting another student to claim your work as their own. Cheating occurs when you purposely and knowingly commit one of these acts: You allowed someone to copy your work. You claimed someone else's work as your own. You had knowledge of questions or answers prior to the test or quiz. You gave or received assistance during test or quiz. Plagiarism is the unauthorized use of another's material that is represented as one's own work. Plagiarism is a piece

of writing that has been copied from someone else and is presented as being your own work, i.e., taking someone's words or ideas as if they were your own. Plagiarism occurs when you purposely and knowingly commit one of these acts: You turned in another student's paper as your own. You copied portions of another student's paper into your own. You copied reference material into your paper without quotation marks and without citing author and page. You paraphrased material into your paper without an in-text citation to author and page. You summarized referenced material without citing original source. The prohibition against cheating applies to, but is not limited to, term papers, class projects, and homework assignments.

12.3. Computer Abuse. Violation of the acceptable use policy of District computers includes, but is not limited to, the following: misuse of user name and password; playing unauthorized games; using the District network for non-school related commercial or private purposes; use of instant messenger, chat or any other unfiltered or non-traceable form of software, including any peer-to-peer sharing software; use of programs to hack or steal passwords; installation of software on computers; damaging computers, systems, or networks; and altering the physical make-up of computer (desktop, operating system, BIOS).

12.4. All student users of the School District system are specifically prohibited from engaging in the following activities on district owned resources:

12.4.1.Sending or displaying offensive messages or pictures, pornography, etc.

12.4.2.Using obscene language.

12.4.3.Harassing, insulting or attacking others.

12.4.4.Damaging computers, systems or networks.

12.4.5.Downloading or installing unapproved software or hardware.

12.4.6.Violating copyright laws and the valid licensed rights of others.

12.4.7.Using another user's password.

12.4.8.Encrypting or password protecting material stored on the system.

12.4.9. Possessing programs used for hacking or stealing passwords.

12.4.10. Trespassing in another user's folders, work or files.

12.4.11. Intentionally wasting limited resources.

12.4.12. Employing the network for non- school related, commercial or other private purposes.

12.4.13. Use of an account by anyone other than the account holder.

12.4.14. Requesting unnecessary and lengthy material that ties up the system resources.

12.4.15. Use of software to obscure internet or system activities; such as, VPN or Proxy sites.

13. **Criminal Mischief**: Intentional or reckless damaging of property, including vandalism and the defacement of property with graffiti.

14. **Disorderly Conduct**. Conduct that (a) obstructs or disrupts a teaching, research, administrative or disciplinary procedure or other District activity, or of any authorized District activity; or (b) is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. Disorderly conduct includes, but is not limited to, running in hallways; making unreasonable noise; using language or gestures that are profane, lewd, vulgar or abusive; the willful interference with the free flow of vehicular or pedestrian traffic; failing to comply with the lawful directions of teachers, school administrators or other District employees; speech or gesture which, by virtue of its content and/or circumstances, is likely to disrupt the conduct or classes or other District activities or to undermine the maintenance of discipline within the school setting; being late for school or class; being unprepared for class; and committing other conduct that detracts from the delivery of the District's educational program, or disrupts the normal operation of the school community.

15. **Drug Paraphernalia**: The use, possession, sale or distribution of over-the-counter drugs, drug lookalikes, drug paraphernalia, including matches and lighters, is prohibited. This prohibition extends to having such items on one's person or in one's locker or vehicle or other personal space.

16. **Gambling**: The risking of something of value upon the outcome of a contest of chance or a future contingent event upon an agreement of understanding that one will receive something of value in the event of a certain outcome.

17. **Harassment and Bullying**: Harassment may take the form of comments, name-calling, jokes, stalking, perpetuating rumors or gossip, offensive gestures, offensive remarks, physical abuse, or any other behavior that is designed to annoy, intimidate, or cause fear.

    17.1. Harassment may include:

        17.1.1.Criminal Harassment/Menacing: Intentionally striking, shoving or kicking another person or subjecting another person to unwanted physical contact, or threatening to do the foregoing; following a person in or about a public place; or otherwise engaging in a course of conduct which alarms or seriously annoys another person; where such behavior, under this Code of Conduct, is of sufficient seriousness to warrant the suspension or removal of a student or the referral of a student to the juvenile justice system, or disciplinary action against or dismissal of a school employee, or notification of law enforcement of the commission of a crime. Actions which intentionally place or attempt to place another person in fear of imminent physical injury.

        17.1.2. Extortion: Any intentional action which reasonably instills fear in another individual that the actor or another person will cause injury to the persons or property of that individual or another person for the purpose of obtaining money or property from that individual.

        17.1.3.Hazing: A form of harassment among students defined as any humiliating or dangerous activity expected of a student to join a group or be accepted by a formal or informal group, regardless of their willingness to participate. Hazing produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur. Hazing behaviors include, but are not limited to, the following general categories:

            17.1.3.1.Humiliation: socially offensive, isolating or uncooperative behaviors.

17.1.3.2. Substance abuse: abuse of tobacco, alcohol or illegal/legal drugs.

17.1.3.3. Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors.

18. **Sexual Harassment**: The act of threatening bodily harm or repeatedly tormenting another person based on gender or sexual orientation. Sexual harassment may take the form of comments, jokes, name calling, innuendoes, offensive conversations, perpetuating unwelcome touching of another's clothes, pinching, whistling or other noises, blocking a victim's path, assault, or any other behavior that is intended to or has the reasonable effect of being offensive based on a person's gender or sexual orientation.

19. **Threats**: Communicating credible, focused threats of violence or harm to an individual or group of individuals, directly or indirectly, whether by physical, verbal, written, telephone, electronic actions or other conduct, which cause the other person to believe his or her life, safety, or property is in danger, or which cause a listener to believe that another person's life, safety, or property is in danger. It is not necessary that the threat be communicated to the intended victim directly.

20. **Insubordination**. The refusal or failure to comply with any District rule, regulation or policy (including those relating to attendance), or the failure to comply with a reasonable request from District personnel or representatives authorized to make such a request.

    Insubordination, as it relates to students, includes, but is not limited to, the failure to comply with the lawful directives of teachers, school administrators or other District employees in charge of students or otherwise demonstrating disrespect toward such individual; lateness for school or class; missing or leaving school without permission; and skipping detention.

    Insubordination, as it relates to non-students, includes, but is not limited to, the violation of regulations governing the use of District Property, and the failure to comply with the lawful directions of District employees or law enforcement officers acting in performance of their duties. Insubordination includes: disrespectful behavior to staff, use of obscene or vulgar language to staff, verbal disrespect to staff and refusal to abide by rules and procedures of the in-school planning room and the in-school suspension room.

21. **Kidnapping**: To abduct a person so as to restrain the person with intent to prevent his or her liberation, either by (a) secreting or holding him or her in a place where he or she is not likely to be found; or (b) using or threatening to use deadly physical force with or without a weapon.

22. **Larceny or other theft offenses:** Unlawful taking and carrying away of personal property with intent to deprive the rightful owner of property; permanently or unlawfully withholding property from another.

23. **Minor altercations**: Striking, shoving or kicking another person or subjecting another person to unwanted physical contact with intent to harass alarm or seriously annoy another person, without causing physical injury. Fights that do not result in serious physical injury are considered minor altercations.

24. **Parking and Driving**: Parking a student-operated vehicle on District property without a parking permit, parking in unauthorized areas (e.g., in a fire lane, on the quad, on grass or in the faculty area), recklessly operating a vehicle on school property; failure to adhere to all state and local laws pertaining to traffic and to the operation of motor vehicles, and failure to follow the directives of faculty supervisors in the parking and driving areas of the campus, constitute violations of this Code. The District assumes no liability for vandalism/theft of the vehicle while on school property. In addition, student vehicles are subject to search with reasonable suspicion. Driving regulations as determined by New York State Motor Vehicle and Traffic law shall apply to all drivers on District Property. Students who attend BOCES during the school day are not allowed to drive their vehicles or ride with any other student to BOCES without permission.

25. **Physical Threat to the School Community**: Making a threat orally, in writing or any other means, including social media, to the physical safety of the school community; including, but not limited to serious bodily injury, use of a weapon(s) or explosive(s).

26. **Public display of affection**: Students should not be overly demonstrative in their affections and, for everyone's health, safety and well-being, displays of affection are prohibited. Inappropriate body contact and kissing is prohibited in school and all school activities.

27. **Reckless endangerment**: Subjecting individuals to danger by recklessly engaging in conduct that creates a grave risk of death or serious physical injury, but no actual physical injury. Examples include throwing an object at another

student that has the potential to cause a grave risk of death or serious physical injury; choking another person; brandishing a weapon on a school bus threatening another person; driving a car erratically and recklessly while other persons are present.

28. **Riot**: Four or more persons simultaneously engaging in tumultuous and violent conduct and thereby intentionally or recklessly causing or creating a grave risk of physical injury or substantial property damage or causing public alarm.

29. **Robbery**: Forcible stealing from a person by using or threatening the immediate use of physical force upon that person, with or without the use of a weapon.

30. **Tobacco/Non-Tobacco and Related Novelty Products**: The use, possession, sale or distribution of tobacco/non-tobacco and related novelty products is prohibited. Tobacco/non-tobacco, related novelty products, and accessories include, but are not limited to cigarettes, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products (with or without nicotine) that imitate or mimic tobacco products, e-cigarettes, "vapes", cloves, bidis and kreteks Juuls, and dab pens, as well as matches and lighters. This prohibition extends to having such items on one's person or in one's locker or vehicle or other personal space.

31. **Other unacceptable behavior**: This shall include, but is not limited to, conduct in classrooms and in other areas of the school or grounds, as well as to conduct on school buses and at school-sponsored events. Some examples of unacceptable behavior are: failure to complete homework, being unprepared for class, classroom disruption, misuse of school materials, failure to follow the directions of staff, failure to follow school/class rules/expectations, loitering, littering, senior pranks, inappropriate or vulgar language.