

Students**SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT**

There is a concern on the part of the Board of Education, the administration, the faculty, parents, and the student body regarding student behavior and disciplinary procedures. This statement is to inform parents and students as to what is expected of students as school citizens of the Wallkill Elementary Schools.

I. Student Rights:

- A. Education: All persons between the ages of 6 and 21 residing in the State of New York are entitled to a free education without discrimination or harassment on the basis of sex, race, creed, or personal condition.
- B. Association: Students have the right to participate in any and all student organizations which have been recognized by the school district in accordance with established criteria. Such organizations may not restrict membership on the basis of race, sex, national origin or other arbitrary criteria.
- C. Discipline: Rules for student conduct and discipline have been adopted by the Board of Education. Such rules will be clearly stated, explained, and distributed to all students at the beginning of every school year or at the start of enrollment in the school. These standards of conduct do not infringe upon the constitutional rights of students, and include prohibited student conduct and the range of penalties, which may be imposed for such misconduct.
- D. Confidentiality: Student records will be maintained by the school district for use by appropriate district personnel in developing the best possible educational program for each student. Parents or legal guardians are entitled to inspect the student's cumulative record with the principal or his/her designee in attendance. The parent is afforded the opportunity through a hearing to challenge the accuracy or content of the child's records. A student over the age of 18 is given the same rights as his/her parents.
- E. Freedom of Expression: Students will not be denied the right to express themselves on the basis of the nature of their beliefs. However, such expression will not be allowed if it substantially or materially interferes with school activities or the rights of others.
- F. Sexual Harassment: Students have a right to attend school without being sexually harassed. Sexual harassment is unwanted behavior by another person of the opposite or the same sex toward you just because you are a girl or boy. No one should act that way to another person. Acts which a fair person would think of as sexual harassment include:
 - 1. The unwanted touching of a sexual nature of any part of your body such as pinching, brushing the body, pulling clothes, kissing, grabbing or holding someone down.
 - 2. An unwanted expression made to a person which scares or embarrasses that person or otherwise makes that person feel uncomfortable such as threats, "dirty jokes", making fun of someone for being a girl or boy, calling someone a "fag", gay, lesbian, "slut", "whore", or being shown, given, or left sexual pictures, photographs, illustrations, messages, or notes. These types of acts should be reported to your parent(s), teacher, or principal and/or intervention specialist.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]**G. Wallkill Central School District Notice of Non-Discrimination**

1. All students of the Wallkill Central School District have a right to feel respected and safe. Consequently, we want you to know about our policy to prevent discrimination based on race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity and expression), weight, predisposing genetic characteristics, marital status, military status, and domestic violence victim status. This policy applies to students in connection with all academic, educational, extra-curricular, athletic, and other programs of the school whether they take place in the facilities of the school, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.
2. Discrimination may include, but is not limited to the following, when based on one's membership in a protected category:
 - a. name calling, jokes or rumors;
 - b. pulling on clothing;
 - c. graffiti;
 - d. notes or cartoons;
 - e. unwelcome touching of a person or clothing;
 - f. offensive or graphic posters or book covers;
 - g. any words or actions that make you feel uncomfortable, embarrass you, hurt your feelings or make you feel bad; or
 - h. denial of access to a school program or activity
3. If any words or actions by another student, district personnel, or third party, such as volunteers, vendors, contractors, or visitors, make you feel uncomfortable, embarrassed, angry or unsafe, and you perceive that such conduct is being exhibited as a result of your race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity and expression), weight, predisposing genetic characteristics, marital status, military status, or domestic violence victim status, you must make a report (either oral or in writing) which should be given to a teacher, counselor, assistant principal, the principal or the District Compliance Officer.
4. Your right to privacy will be respected as much as possible.
5. We take seriously all reports of discriminatory conduct and will take all appropriate actions based on your report.
6. The School District will also take action if anyone tries to intimidate you or take action to harm you because you have reported an incident.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

7. This is a summary of the School District non-discrimination policy. Complete policies and procedures are available in the District Office upon request.
8. Students considering themselves to have a grievance against the District on the basis of race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity and expression), weight, predisposing genetic characteristics, marital status, military status, or domestic violence victim status may contact Brian Devincenzi, District Compliance Officer, at 895-7102 for a copy of the Grievance Procedure and for assistance in processing such a grievance.

H. Due Process: All students are guaranteed the right of due process.

II. Student Responsibilities:

It is the responsibility of the student to comply with the elementary code of conduct throughout their school day, including but not limited to actions on school property, school buses, halls, bathrooms, cafeteria, playground, field trips, school assemblies, and after school-sponsored activities.

Policy Statement

- A. Students shall respect constituted authority. This shall include conformity to school rules and regulations and those provisions of law, which apply to the conduct of juveniles or minors.
- B. Citizenship in a democracy requires respect for the rights of others. Student conduct shall reflect consideration for the rights and privileges of others and demands cooperation with all members of the school community.
- C. High personal standards of courtesy, decency, morality, appropriate language, honesty, and wholesome relationships with others shall be maintained.
- D. Respect for gender (identity or expression), race, creed, or personal condition, for real and personal property, pride in one's work, and achievement within one's ability shall be expected of all students.
- E. Every student who gives evidence of a sincere desire to remain in school, to be diligent in studies, and to profit by the educational experiences provided, will be given every opportunity to do so and will be assisted in every way possible to achieve scholastic success to the limit of individual ability.

It is the responsibility of each teacher to administer the discipline in his or her classroom. Teachers will refer students to the principal and /or intervention specialist only in extreme cases when all other disciplinary measures have been exhausted/ or if a significant incident has occurred.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

III. Criteria for Referral: The following criteria apply to behaviors occurring on school property, buses, and/or off-site school related functions:

- A. **Fighting:** While on school property commits an act of violence upon another student or another person lawfully upon school property (updated). This can include but is not limited to hitting, pushing, kicking, biting and spitting. If the instigator can be determined, he/she will be penalized, if not, all participants will be disciplined.
- B. **Profanity:** Use of profane language in verbal or written form or in the form of a gesture.
- C. **Insubordination:** Any action either written, verbal or physical which defies or disrespects authority.
- D. **Drugs/Controlled Substances/Nicotine/Tobacco:**
 - 1. Use or possession of Nicotine, Tobacco, Alcohol, Inhalants, Drugs or Drug Paraphernalia (including matches and lighters) on School Property. (Prescribed medication and inhalants must be kept in Nurses office.) All medication has to be registered in person with the school nurse by a parent/guardian.
- E. **Theft/Larceny:** Theft of money, person or public property, or theft involved in breaking or entering of school property. Being in possession of stolen goods while on school property.
- F. **Destruction of School Property:**
 - 1. **Vandalism:** Destruction of property, Destroying or defacing and/or personal property.
 - 2. Knowingly and intentionally damaging the personal property of a teacher, administrator, or other school employee, student or any person lawfully upon district property.
 - 3. Knowingly and intentionally damaging or destroying school property.
- G. **Sexual Harassment:**
 - 1. Making sexual comments, jokes, gestures or looks.
 - 2. Touching, grabbing, or pinching in a sexual way.
 - 3. Intentionally brushing up against someone.
 - 4. Spreading sexual rumors about a person.
 - 5. Pulling at someone's clothing in a sexual way.
 - 6. Showing, giving, leaving, or possessing sexual pictures, photographs, illustrations, messages or notes.
 - 7. Forcing someone to kiss you or do something sexual other than kissing.
 - 8. Calling someone a "fag" or a "lesbian" or "gay".

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

- H. Harassment/Bullying: Any behavior that is done to intimidate, demean, insult, embarrass, or have power over another person or group of individuals, including but not limited to teasing, name calling.
- I. Disruptive Behavior:
1. Intentional disturbance of a class, cafeteria, school function.
 2. Substantially disrupting the educational process or substantially interfering with the teacher's authority over the classroom.
- J. Violence: In accordance with Board of Education Policy #7400 Section D, a violent pupil is defined as an elementary student entitled to attend school on a tuition free basis under New York State Education Law who:
- 1) commits an act of violence upon a teacher, administrator, or other school employee;
 - 2) commits while on School District Property, an act of violence upon another student or any other person lawfully upon school property;
 - 3) commits a verbal or threatening act of violence upon a teacher, administrator, other school employee or another student;
 - 4) possesses, while on School District Property, what appears to be a gun, a knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury;
 - 5) displays, while on School District Property, what appears to be a gun, a knife, explosive or incendiary device or other dangerous instrument capable of causing death or serious bodily injury;
 - 6) threatens, while on School District Property, to use any instrument that appears capable of causing physical injury or death;
 - 7) knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other School District employee, or any person lawfully upon School District property; or
 - 8) knowingly and intentionally damages or destroys School District property.
- K. Endangerment:
1. Endangering the health, safety, or well-being of the school population, including but not limited to horseplay.
 2. Attempting, while on school property, to use any instrument that appears capable of causing physical injury or death.
- L. Inappropriate Behavior:
1. Any behavior that interferes/disrupts the educational process or the rights of any student, staff, or faculty member.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

2. Possession and/or use of Electronic Devices/Cell Phones. Unauthorized videotaping, picture taking and/or texting with a cell phone or any other recording devices during the school day and/or on the bus to and from school taken as well as to and from school events.
3. Unauthorized financial transaction (selling/buying/trading) will not occur on school property.
4. Dressing in such a manner that it causes material or substantial disruption or presents health or safety problems. Any form of dress, which is distracting or is substantially disruptive, is not permitted. Students are expected to keep themselves well-groomed and neatly dressed at all times
 - i. Coats are not to be worn in school.
 - ii. Hats, hoods and bandannas are not to be worn in school. (head coverings)
 - iii. Shirts advertising alcoholic beverages and/or the use of drugs, or those with inappropriate printing on them are not to be worn in school.
 - iv. Short-shorts, short skirts, pants worn excessively low, or midriff tops are not to be worn in school.
 - v. Gang related attire is not allowed and not to be worn in school.
 - vi. Appropriate footwear needs to be worn at school. "Heelies" (Shoes with wheels) are not allowed at school.
5. Possessing inappropriate materials, dangerous instruments and/or including but not limited to pornographic materials and other sexually oriented materials.

IV. Disciplinary Measures - Below is a list of disciplinary measures that may be used should there be a violation of the Code of Conduct:

- A. Oral Warning
- B. Pre-referral Behavior Notification: can be issued as a warning; therefore, notifying parents in regards to behaviors that may lead to more serious disciplinary measures
- C. Written Referral
- D. Work assignment to fit infraction (with parental permission)
- E. Lunch time, recess or activity period detention.
- F. Any student may be detained after school providing administrative and parental permission to stay is obtained. It is understood that transportation home will be the responsibility of the parent.
- G. Suspension warning letter may be issued
- H. In School Suspension 1-2 Days
- I. Suspension for up to five days. Every attempt will be made to notify parent that a suspension is to occur.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

- J. If the student's inappropriate behavior continues after the third referral, the principal has the option of instituting any of the disciplinary measures again or referring the case to the Superintendent for further action.
- K. Teacher removal from a classroom for 3-5 days (subject to the rights and procedures set forth in the District Code of Conduct).
- L. When a student engages in conduct, which would define that student as "repeatedly substantially disruptive" (i.e. engaging in conduct requiring removal from classroom on four or more occasions during the semester), the student will be subject to a minimum suspension of 3-5 days (subject to modification on a case-by-case basis based upon the particular circumstances present).
- M. When a student engages in conduct which would define that student as a violent pupil under section 3214(2-a) (a) of the Education law, the student will be subject to a minimum of suspension of 5 days (subject to modification on a case-by-case basis based upon the particular circumstances present.)

V. Referral Procedure

The teacher/ school personnel sending the student must immediately notify the office that a student was being referred to the principal and/or intervention specialist for disciplinary action.

- A. First Referral: The principal and/or intervention specialist will review the code of conduct with the student, identifying the infraction and discuss what steps must be taken to improve behavior.

Within a reasonable time (preferably 24 hours), a copy of the original referral slip with the action taken by the principal and/or intervention specialist will be returned to the teacher. A copy of the completed referral form is to be sent to the child's parents. A copy of the discipline code may be included. The principal and/or intervention specialist shall determine if there will be disciplinary action to fit the infraction in addition to the above.

- B. Second Related Referral: The student shall be informed by the Principal and/or intervention specialist of the severity of the infraction. The student will be informed that any further serious disciplinary problems may result in parent/guardian contact. Contact will be made by Principal, Intervention specialist or the principal's proxy.

Within a reasonable time (preferably 24 hours) a copy of the original referral slip with the action taken by the principal and/or intervention specialist will be returned to the teacher. A duplicate copy and a copy of the discipline code may be mailed to the parent. This may be preceded by a phone call.

The principal and/or intervention specialist shall determine the disciplinary action to fit the infraction.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

- C. Third Related Referral or a separate significant incident: Parents will be notified immediately by phone of the severity of the situation or if necessary a letter will be sent to parents to schedule a meeting with all involved school personnel (preferably within 24 hours).

If no response is received within three school days, the administration will attempt to contact the parent by phone to schedule the meeting. If no contact is made, the principal will inform the parents by certified mail of the action taken.

The principal shall determine the further action to fit the infraction.

Two of the most important lessons education should offer are self-discipline and self-respect. While they do not appear as subjects, they underlie the whole educational structure. These lessons develop self-control, character, orderliness, and efficiency. They are keys to good conduct and proper consideration for other people.

We believe it is important for all students to acknowledge and understand the mistakes that they have made, so they can make better choices in the future. A child, with the assistance of the school and home, acquires a positive attitude and develops self-control to avoid problems. These efforts should help the child become all he or she is capable of being. We feel this Conduct Code meets the purpose.

As always, parents are encouraged to contact the school at any time to arrange for a conference with staff and administration concerning discipline or any other matters.

VI. Dignity for all Students Act (Refer to Board Policy #7625)

The Dignity Act Coordinators for the Elementary Schools are:

Leptondale Elementary School:

Mr. Stephen Cabarcas, Intervention Specialist (845) 895-7200

Clare F. Ostrander Elementary School:

Mrs. Amy Gerace, Intervention Specialist (845) 895-7225

Plattekill Elementary School:

Mrs. Lori Williams, Intervention Specialist (845) 895-7250

The Dignity Act Coordinators oversee bullying prevention measures and address issues surrounding bullying in the Elementary Schools.

"The Discipline Code is intended to be read and interpreted in a manner that is consistent with the District-wide Code of Conduct, (Policy #7400). To the extent any terms of provisions contained herein conflict with the District-wide Code of Conduct; the District-wide Code of Conduct shall govern."

Approved: 9/26/85; Revised: 8/28/86; 7/14/88; 7/25/89; 7/27/93; 9/1/94; 6/15/95; 6/20/96; 6/19/97; 6/18/98; 6/17/99; 6/15/00; 6/21/01; 6/02; 6/03; 6/04; 6/05; 6/06; 6/07; 6/18/09; 6/17/10; 6/16/11; 6/14/12; 10/18/12; 6/13/13; 9/16/13; 6/19/14; 7/2/24; 7/7/26