2026-2027

Highland Central School District

Code of Conduct & Behavioral Interventions Manual

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Highland Central School District
Code of Conduct & Behavioral Interventions

A. INTRODUCTION

The Highland Central School District is committed to maintaining high standards of learning for students in our schools. The District is also committed to creating and maintaining high behavioral standards and expectations for our students through our district-wide support of Positive Behavior Intervention Support (PBIS) program.

PBIS is a nationally recognized school-wide positive behavior intervention support program which focuses on those students that are doing the "right thing" and identifies those students that are at-risk and in need of extra support for early intervention. The district-wide pillars of this program are for students to be: safe, respectful, responsible, and a learner.

The district's Code of Conduct and behavior intervention strategies work together with PBIS to support the best possible learning environment for our students. Undoubtedly, a positive educational environment cannot be achieved without the assistance of the school community, especially parents/guardians. The district also realizes that even with interventions and supports in place, students may make choices that will result in disciplinary consequences.

Therefore, the District believes that promoting high behavioral standards must be a shared responsibility between school, home, and community. This Code of Conduct was developed in collaboration with students, teachers, administrators, and parents, and other Board-approved school personnel. It is our belief that, to be effective, such a Code must:

- identify, recognize, and acknowledge acceptable behavior;
- identify, recognize, and prevent unacceptable behavior;
- promote self-discipline;
- consider the welfare of the individual as well as that of the school community as a whole;
- promote a close working relationship between parents/guardians, students, and the school staff;
- distinguish between minor and serious offenses, as well as between first time and repeated offenses;
- provide recommended disciplinary responses that are appropriate to the misbehavior;
- outline procedures to ensure fair, firm, reasonable, and consistent enforcement of the policy;
- encourage a high regard for every person's right to reasonable hearing procedures and due process when accused of misconduct;
- comply with the provisions of federal, state, and local laws, as well as the guidelines and directives of the New York State Education Department and the Board of Regents.
- comply with the Dignity for All Students Act by prohibiting all forms of discrimination , and harassment, both verbal and non-verbal, including bullying and cyberbullying , of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by school employees or students on school property, at school-sponsored events and activities that take place on or off of school property or that occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.
- Recognize and promote equity, diversity and inclusivity.

Links to our school PBIS Pages:
Elementary School: http://www.highland-k12.org/HES.cfm
Middle School: http://www.highland-k12.org/webpages/mspbis/?school=588
High School: http://www.highland-k12.org/HHS.cfm?subpage=499499
(For more information on PBIS, please click here.)

A school's primary concern in establishing a Code of Conduct is to enable our students to become responsible, respectful, and caring citizens within the school and community settings. The Board of Education is responsible for ensuring that essential policies are established and adequate discipline is maintained in the operation of the schools to effectively promote safety, as well as the social and educational growth of the students. Administrative regulations consistent with Board of Education policies are developed and enforced by the school administration and staff utilizing the principles listed on the previous page.

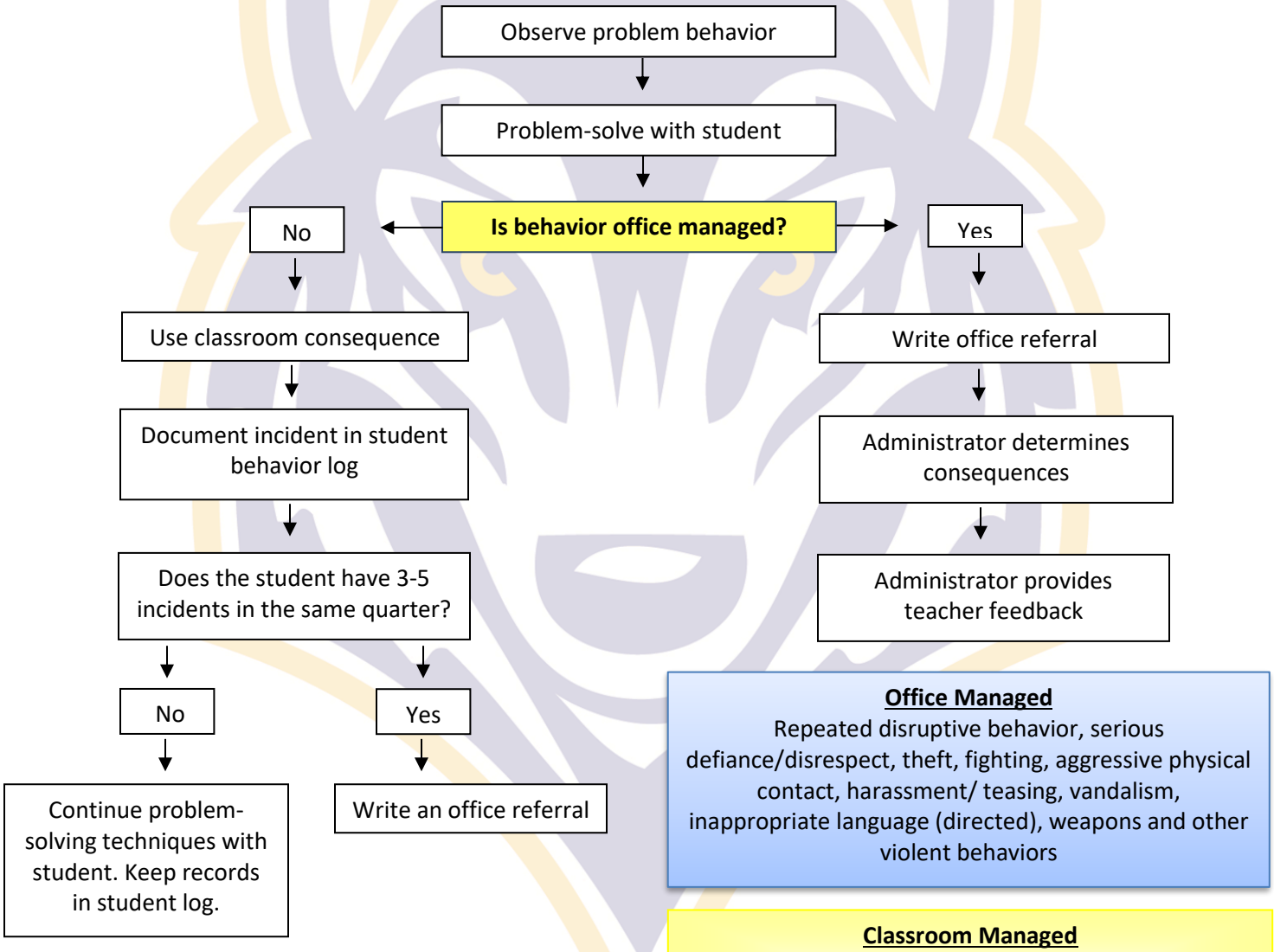
The parent/guardian is expected to assume primary responsibility for control of his or her child. The parent/guardian may also be called upon to actively partner with the school in providing the necessary structure to promote social and educational growth of all children. To this end, a high degree of parent-school communication will be collaboratively fostered. Please refer to the flow charts below for information about the behavior management process in our schools.

B. PBIS BEHAVIOR MANAGEMENT FLOW CHARTS

Highland Elementary School Behavior Management Chart

P.B.I.S.

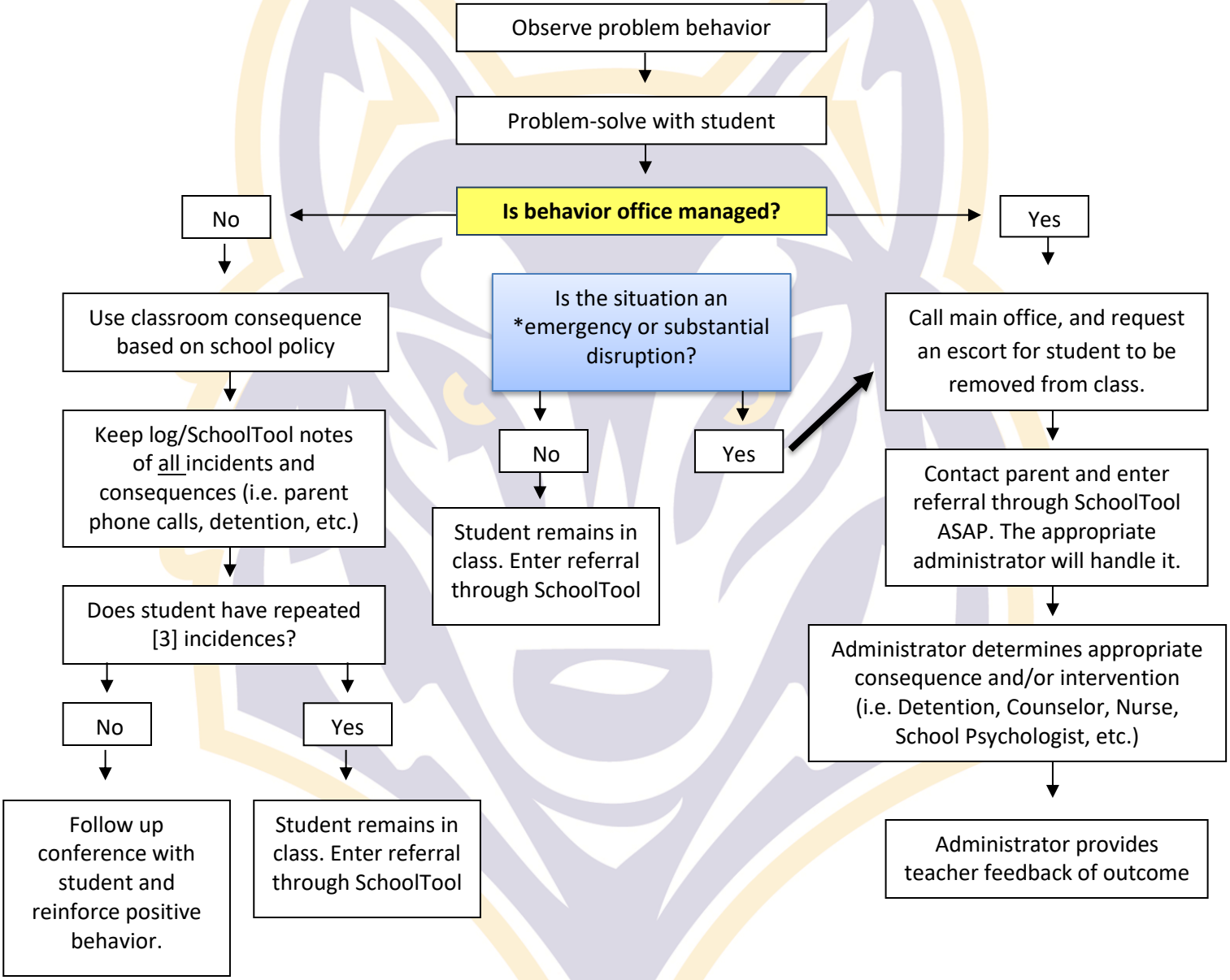
Be Respectful • Be Responsible • Be Safe



Highland Middle School Behavior Management Chart

P.B.I.S.

Be Respectful • Be Responsible • Be Safe • Be a Learner



Non-Exclusive Examples below:

Classroom Managed Examples
Calling out, classroom disruption, refusal to follow reasonable request, put-downs, refusing to work, inappropriate tone/language, tardiness, cheating and dress code

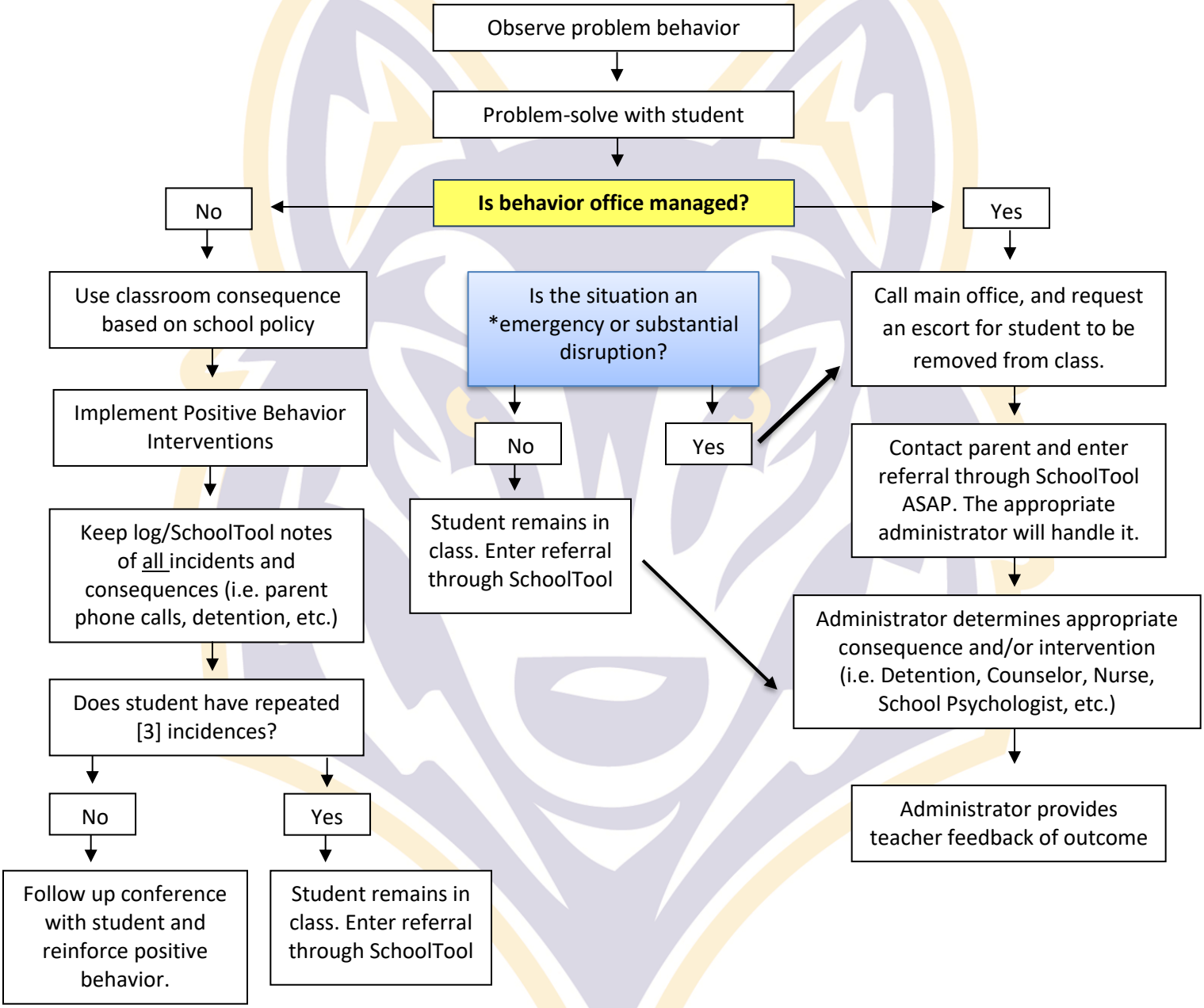
***Emergency Examples**
Fighting or aggressive physical contact, Weapons, acts of violence, Smoking or possession of Tobacco, Possession or use of Alcohol/Drugs

Office Managed Examples
Failure to serve detention, Harassment of student or staff, Truancy/Leaving school grounds, Gambling, Not with class during an emergency, Theft/Robbery/Vandalism, Repetitious/Chronic disruptions

Highland High School Behavior Management Chart

P.B.I.S.

Be Respectful • Be Responsible • Be Safe • Be a Learner



Non-Exclusive Examples below:

Classroom Managed Examples
Calling out, Classroom disruption, Refusal to follow a reasonable request, Put downs, Refusing to work, Inappropriate tone/language, Tardiness, Cheating, Dress Code

Emergency Examples
Fighting or aggressive physical contact, violent behavior, Weapons, Smoking or possession of tobacco/tobacco products, Possession, use or distribution of Alcohol/Drugs, Cutting Class (accountability)

Office Managed Examples
Failure to serve detention, Harassment of student or staff, Truancy/Leaving school grounds, Gambling, Not with class during an emergency, Theft/Robbery/Vandalism, Directed Profanity, Weapons, Fighting, Alcohol/Drugs

C. DISSEMINATION OF THE CODE OF CONDUCT

The complete Code of Conduct is available on the school district website at www.highland-k12.org. Furthermore, each family and staff member will receive a summarized version of the Code of Conduct in pamphlet form at the beginning of each school year. Hard copies of the entire Code of Conduct are available in the main office of each school building and in the Superintendent's office. Additional efforts will be made to educate our students about the Code of Conduct.

1. **Students:** Age-appropriate aspects of the Code of Conduct will be reviewed with students in accordance with plans designed by each building administrator. Students' rights and responsibilities will be reviewed as appropriate at the middle and high school levels.

2. **Staff:** Staff will be made aware of revisions to the Code of Conduct on an annual basis

3. **Parents:** If parents need assistance in the explanation of the Code, building or district administration will make arrangements to assist the parents. The district will also make the Code available in languages other than English upon request.

D. DEFINITIONS

General Definitions:
For the purposes of this code, the following definitions apply as they relate to this Code of Conduct:

1. **Disruptive Student:** 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.
2. **Parent**: The parent, guardian, or person in parental relation to a student.
3. **Project SAVE:** Law enacted in New York State in July 2000--Safe Schools Against Violence in Education, effective July 1, 2001. Requirements include fingerprinting of employees; character education; school violence prevention; school safety teams; district Code of Conducts, etc.
4. **School Bus:** Every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers or other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in supervisory capacity to or from school or school activities. (Education Law 11[1] and Vehicle and Traffic Law 142)
5. **School Function**: Any school sponsored extra-curricular, co-curricular, or other event or activity occurring on or off school grounds. Events such as athletic contests and field trips are school functions and the Code of Conduct applies at these events.
6. **School Property**: 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 §142 of the New York State Vehicle and Traffic Law.
7. **Suspension**: The act of a Building Principal (or acting Building Principal), Superintendent of Schools, District Superintendent or Board of Education in discontinuing the presence of a student from his/her regular classes.
8. **Teacher Removal:** "Teacher removal" means the removal of a disruptive pupil or a student who interferes with a teacher's authority from the teacher's classroom pursuant to the provisions of Education Law §3214(3-a). Routine referrals of a student to a principal or assistant principal for possible disciplinary action should not be considered a teacher removal.
9. **VADIR:** Violent and Disruptive Incident Reporting: Each school district is required to annually submit to the state specific information about for each school building regarding Violent and Disruptive Incidents that have occurred in the schools. VADIR definitions are listed below.
10. **Violent Student**: a student under the age of 21 whom:
    - commits an act of violence upon a school employee, or attempts to do so;
    - commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so;
    - possesses, while on school property or at a school function, a weapon;

- displays, while on school property or at a school function, what appears to be a weapon; threatens, while on school property or at a school function, to use a weapon.;
- 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;
- knowingly and intentionally damages or destroys school district property.

11. **Student Driver:** A student in 11th or 12th grade who is a licensed driver and has completed and obtained the necessary Highland High School parking authorization.

DIGNITY FOR ALL STUDENTS ACT (DASA) DEFINITIONS

1. **Bullying:** has the same meaning as harassment under DASA (see below).
2. **Cyberbullying:** means harassment through any form of electronic communication.
3. **Disability:** means:
    - 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:
    - record of such an impairment or
    - condition regarded by others as such an impairment, provided, however, that I 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 form performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law 11[4} and Executive Law 292[21]).
4. **"Emotional Harm":** that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.
5. **Harassment:** means the creation of a hostile environment by conduct or by threats, intimidation or abuse, verbal and non-verbal, 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
    - reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety;
    - reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
    - occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Such conduct, threats, intimidation or abuse may be based upon a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
6. **Hazing:** includes any intentional or reckless acts directed at an individual or group for the purpose of initiation, affiliation or maintaining membership in any school sponsored club, team, organization or activity. Hazing activities produce mental or physical discomfort, embarrassment or humiliation.
7. **Sexual Orientation:** means actual or perceived heterosexuality, homosexuality or bisexuality.
8. **Gender:** means actual or perceived sex and includes a person's gender identity or expression.
9. **Gender Expression**: the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.
10. **Gender Identity**: one's self-concept as being male or female, as distinguished from actual biological sex or sex assigned at birth.
11. **"Material Incident"**: means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, cyberbullying and /or discrimination by a student and/or employee on or off school property or at a school function.

E. STUDENT BILL OF RIGHTS AND RESPONSIBILITIES

The Highland Central School District believes in the right of each child, between the ages of five and 21 years or until the child receives a high school diploma, whichever comes first, to receive a free and appropriate education. All students in this state between the ages of six and the school year through which he or she becomes 16 are required by law to regularly attend school, either in the public schools, non-public schools that are approved for equivalency of instruction by the appropriate school authorities, or in the home in accordance with the Regulations of the Commissioner of Education.

The right to a free public school education extends to all students. However, this right is not unconditional. As long as due process of law requirements are met, a student may be removed from the classroom, suspended temporarily or suspended permanently from school. Only students within the compulsory education ages (age six through the school year in which the student turns 16) are entitled to alternative, equivalent instruction following suspension.

Education in a free society demands that students be aware of their rights and learn to exercise safe, responsible and respectful manners. Please turn to the next page for a chart, which explains students' rights and responsibilities:

HIGHLAND CENTRAL SCHOOL DISTRICT STUDENTS RIGHTS AND RESPONSIBILITIES

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***Additional explanation of student's rights and responsibilities on the next page**

Students have a right to:	Students have a responsibility to:
• be informed of all school rules	• follow all school rules
• be provided with an education that is intellectually challenging and relevant to demands of the 21st century	• take advantage of the intellectually challenging education that is offered by putting forth genuine effort, completing all assignments and attending school, prepared to learn on a regular and punctual basis
• learn in an environment free from interruption, harassment, discrimination, intimidation, and fear	• behave in a manner that contributes to a positive environment • accept responsibility for your actions • report negative behavior that you witness which may affect the school climate in a negative manner to school personnel *(see 2) • seek assistance if they feel the need to do so
• have complaints about school-related matter or school-employees responded to *(see 1)	• present complaints that are valid and based on accurate knowledge of a situation • recognize that adults in the school setting assume a role of authority in matters of student behavioral management
• be guided by a Code of Conduct which is fairly and consistently implemented	• participate in discussions and on committees which determine the content of the Code of Conduct • become familiar with the Code, building level handbooks, and to seek interpretation of parts not understood
• express themselves	• express themselves in a prudent manner and understand that freedom of speech can be limited *(see 3)
• participate in district activities on an equal basis regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex *(see 4)	• contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all and respect the rights of others *(see 2)
• be eligible to participate in school activities including sports and other extra and co-curricular activities *(see 5 and 6)	• demonstrate appropriate conduct as established by the student Code of Conduct and any rules established and disseminated by a written announcement specifically for participation in extra and/or co-curricular activities
• privacy (in relation to search and seizure) - Students in attendance in our public schools are protected against illegal or unreasonable personal searches or seizures of their property by both the federal and state constitutions *(see 6)	• refrain from possession of any items prohibited in the Code of Conduct or items that do not belong to you

DETAILED INFORMATION REGARDING STUDENTS' RIGHTS AND RESPONSIBILITIES

1. **Complaints or Grievances:** If a student has a grievance or complaint about a school-related matter, a school employee or other school official, she/he may submit it in writing, to the Principal of the school who shall respond within ten (10) school days. If the grievance should be allocated to a different grievance procedure, such as Title IX or DASA, the Principal shall notify the student and the appropriate procedure shall be followed. Grievances or complaints may be appealed in writing to the Superintendent of Schools if the Principal's answer or proposed resolution is not deemed satisfactory by the student. The Superintendent of Schools shall respond to all grievances and complaints within a reasonable period of time following receipt of the written appeal document.

2. **Reporting Discrimination and Harassment, including Bullying and Cyberbullying**: Students and School District employees are expected to report incidents of discrimination and harassment, including bullying and cyberbullying. Students who have been subjected to or have witnessed such incidences are expected to do so in writing to any district employee who will forward the form to the school's Dignity Act Coordinator or Building Principal. Students may also make verbal reports to district employees who will then file a written report with the Dignity Act Coordinator or Building Principal. Staff who observe or learn of incident(s) of bullying are required, in accordance with State law, to make an oral report to the Building Principal within one school day and to fill out the District reporting form within two school days. The Dignity Act Coordinator reviews each report and determines intervention steps and disciplinary consequences.

   The Highland Central School District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment. Inquiries about Title IX may be referred to the District's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The District's Title IX Coordinator is the Assistant Superintendent for Pupil Personnel Services and Human Resources, 845-691-1023, and the contact information for OCR is https://ocras.ed.gov/contact-ocr.

3. **Student Expression:** A student's freedom is subject to limitation in that the constitutional protections will not extend to libelous, slanderous, vulgar, lewd, indecent, or obscene words or images or to words or images which by their very use incite others to damage property or physically injure persons. Any assembly or public expression on school grounds or at school activities that advocates the use of drugs or other substances that are illegal to minors is prohibited. Furthermore, speech which materially and substantially disrupts the work and discipline of the school may be subject to limitation including instances of: severe bullying or harassment targeted at particular individuals; threats aimed at the school community; speech concerning the failure to follow school rules, including lessons, the writing of papers, the use of computers or participation in other school related online activities; and breaches of school security devices.

4. **Symbolic Expression**: Students, in light of constitutionally protected free speech rights, may wear political buttons, arm bands or badges of symbolic expression so long as the same conform to the limits set forth in the Building Level Handbooks.

5. **Pregnant Students:** The Board of Education will provide instruction and other educational opportunities to pregnant students in the same manner as they are provided to other students unless the student's physician determines that the student is disabled and certifies that the student requires home instruction.

6. **Student Activities**: All students shall enjoy equal access to the extent of their capabilities for participation in or attendance at the various extra-curricular and co-curricular activities sponsored by the School District. The privilege of participating in such activities shall be conditioned by behavioral and academic expectations.

7. **Search and Seizure:** In light of these protections, no student's person or property shall be searched for illegal substances or materials unless the school authorities conducting the search have reasonable suspicion to do so. Lockers and desks assigned to students may be subject to inspection at any time by school officials since such places are not the property of the student, but rather are owned by the School District and shared with the student. Items that are prohibited on school property or are used to disrupt or interfere with the educational process may be removed from the lockers or desks used by the student, or from the student's personal property with the student's permission or if there is reasonable individualized suspicion that the student is in possession of such item(s). The Board authorizes the Superintendent, Building Principals and their designees to conduct searches of students, their belongings and automobiles if the authorized school official has

reasonable individualized suspicion to believe that the search will result in evidence that the student violated the law or the Code of Conduct.

F. RESPONSIBILITIES OF ADULTS

All adults in the school community share a vital role in the success of our students.

Parents/Guardians: A cooperative relationship between home and school is essential to each student's successful development and achievements.

All School Employees: In the course of a school day students interact with many adults including bus drivers, cafeteria workers, support staff, teachers and administrators. All school employees have equal potential to positively affect students and subsequent equal responsibility to implement disciplinary measures as necessary.

Teachers: Every teacher knows that s/he works every day with this nation's most precious commodity - the future generation.

Dignity Act Coordinators: The Dignity Act requires that at least one staff member at every school 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, sex and other protected groups.

Building Administrators: As the educational leaders of the school, the Principal and his/her assistant(s) set the tone and behavioral expectations for the school, not only for students, but for staff as well.

District Administrators: As the educational leaders of the school system, the Superintendent of Schools and Central Administrators provide guidance and support to Building Administrators and the Board of Education.

Board of Education: As the elected officials in charge of our schools, the Board of Education adopts policies that support student needs and meet all applicable state and federals laws and regulations.

All Adults: All the above adults have a general responsibility to:

- Show an enthusiastic and supportive attitude toward school and education
- Promote a climate of mutual respect and dignity between school community members
- Help students to reach their maximum potential
- Build a good working relationship between school and home
- Teach children self-respect, respect for the law, respect for others and for public property
- Treat children in an ethical, respectful and responsible manner
- Explain, interpret and model desirable standards of behavior through personal example
- Immediately report and refer violent students to an administrator
- Comply with state education and social services law and regulations regarding corporal punishment, student discipline and mandated reporting of suspected child abuse in both domestic and educational settings
- 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 or sex which will strengthen students' confidence and promote learning.
- Confront issues of discrimination, and harassment, including bullying and cyberbullying, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Orally report incidents of discrimination, and harassment, including bullying or cyberbullying, that are witnessed or otherwise brought to an adult's attention to the school's Dignity Act Coordinator and Building principal within one school day and provide a written report to them within two school days.
- **Additional specific adult responsibilities are shown on the chart:**

RESPONSIBILITIES OF ADULTS *(cont'd.)*

Group:	Code of Conduct	Academics	Behavior Management
Parents/Guardians	• Familiarize yourself with the Code of Conduct and ask clarifying questions to school administrators • Encourage your child to follow the school rules and Code of Conduct • When disagreements occur with the implementation of Code of Conduct listen to the views and observations of all parties concerned	• Promote prompt and regular school attendance • Provide a place conducive for study and completion of homework assignments • Foster a feeling of pride in your child for their school • Work cooperatively with the school to alleviate any academic issues • Communicate questions and concerns to the school as they occur	• Set realistic standards of behavior for your child and remain firm and consistent • Learn about Positive Behavior Intervention Supports (PBIS) • Help your child learn how to deal effectively with negative peer pressure • Provide support and positive reinforcement to your child • Cooperate with the school in jointly resolving any school-related problem
All Employees	• Have a working knowledge of and quick access to the Code of Conduct • Report violations of the Code of Conduct to the Director or Building Administrator	• Promote pride in the school district • Build positive relationships with students and parents • Exemplify and reinforce lifelong learning practices	• Establish positive relationships with students and parents • Learn and implement Positive Behavior Intervention Supports (PBIS) strategies • Exemplify professionalism
Teachers	• Explain, interpret and model the discipline Code to students • Enforce the Code of Conduct in all areas of the school in a consistent and professional fashion • Report to the Principal any student or staff who jeopardizes his/her own safety or the safety of others	• Plan and implement lessons that are at the appropriate instructional level and are interesting and challenging • Utilize research-based instructional and classroom management techniques • Send communications home promptly	• Identify alarming student behavior and notify appropriate personnel • Know the support services available to students and refer students who are in need of such services
Building Administrators	• Provide appropriate training for faculty and staff to enhance the awareness of the Code of Conduct • Assume responsibility for the dissemination and enforcement of the Code of Conduct and ensure that all discipline cases referred are resolved promptly • Develop behavior guidelines and appeals procedures specific to each assigned school in harmony with this Code of Conduct	• Evaluate the program of instruction in their school to achieve a meaningful educational program • Help their staff self-evaluate their procedures and attitudes in relation to the interaction within their classrooms	• Train staff and implement Positive Behavior Intervention Supports • Provide the opportunity for parents, students and staff to approach the Principal directly for redress of grievances • Utilize all appropriate support staff and community agencies to help parents and students identify problems and seek solutions • Ensure that students are provided with fair, reasonable, and consistent discipline
District Administrators	• Assist in the development of an effective Code of Conduct • Fairly implement the Code • Provide each employee, student and parent with access to the Code of Conduct	• Evaluate the program of instruction in their district to achieve a meaningful educational program • Help their administrators self-evaluate their procedures and attitudes in relation to the interaction within their staff	• Recommend to the Board of Education appropriate policies, regulations, and actions to achieve optimum conditions for positive learning and behavioral management
Board of Education	• Review the Code of Conduct on an annual basis and revise if needed • Ensure that the Code of Conduct contains clear behavioral expectations and disciplinary consequences for students, staff, and visitors and is communicated, implemented and enforced in a reasonable and equitable manner	• Adopt the policies governing the District • Provide the support necessary to maintain intellectually challenging and relevant academic programming necessary to demands of the 21st century	• Adopt the policies governing the District • Provide the support necessary to maintain research-based behavior intervention strategies

G. BEHAVIORAL INTERVENTIONS & DISCIPLINARY/REMEDIAL CONSEQUENCES

1. **Behavioral interventions:** are most effective when implemented to identify and reduce the root cause of the inappropriate behavior. Disciplinary interventions are most effective when they are implemented in a timely fashion, at the time and place the incident occurs, and in a way that students view as fair, equitable and impartial. School personnel who interact with students are expected to use disciplinary interventions only when necessary and to place emphasis on the students' ability to grow in self-discipline.

2. **Disciplinary /Remedial consequences**: when necessary, will be ***firm, fair and consistent*** so as to be effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following: the student's age; nature of the offense and the circumstances which led to the offense; student's prior disciplinary record; effectiveness of other forms of interventions; information from parents, teachers and/or others, as appropriate; and other extenuating circumstances.

   As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. Serious offenses, particularly those involving violence, weapons possession, or which endanger public safety may warrant immediate and more severe discipline, as may actions which, upon review of a student's prior incidents, indicate a pattern of misconduct or a resistance to remediation.

3. **Use of Physical Force:** No teacher, administrator, officer, employee or agent of this school district shall use corporal punishment against a student. As used in this section, corporal punishment means any act of physical force upon a student for the purpose of punishing that student, except as otherwise provided in the next subsection. In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed, nothing contained in this section shall be construed to prohibit the use of reasonable physical force for the following purposes: to protect oneself from physical injury; protect another student or teacher or any person from physical injury; protect the property of the school or others; or to restrain or remove a student whose behavior is interfering with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to comply with a request to refrain from further disruptive acts.

   Examples of Behavioral Interventions:

   - Specialized individual or group supports
   - Referral to child study/ IST teams
   - Referral to guidance counselor, social worker, or school psychologist
   - Mediation
   - Assignment to The Learning Center
   - Development of a behavioral contract
   - Development of a Behavioral Intervention Plan
   - Referral to human services agency
   - Reminder of expectations by staff
   - Student/teacher conference
   - Parent/teacher contact and/or conference
   - Student/administrator conference
   - School/classroom-wide systems

4. Project SAVE Laws

   The School District has determined that certain acts of misconduct interfere with instruction and/or the safety and welfare of students and staff. Although some incidents of misconduct may require removal from the classroom or suspension from school, effort will be made to address misconduct without removal from the classroom or suspension from school. This is in keeping with the District goal of avoiding consequences that interrupt or interfere with learning. However, no child will be allowed to continue disrupting the instruction of the class or interfering with the safety of the school, its staff, students and visitors.

Teachers shall have the authority to remove a student from their classrooms and send the student to the office of the Principal or Assistant Principal whenever the student substantially disrupts the educational process or substantially interferes with the teacher's authority over the classroom. "Substantially disruptive" shall mean that the course of instruction has to be discontinued more than momentarily such that it breaks the continuity of the lesson, to address the disruptive conduct of the student. "Substantially interferes" with the teacher's authority over the classroom shall mean that the student has been insubordinate to the teacher in the presence of the class and has failed to obey the teacher's directives to cease and desist (e.g., at least two directives).

A teacher may remove a student for the remainder of the class upon the first event (and sent to the office of the Principal or Assistant Principal) and for two days of class upon the second or third event. Upon the occurrence of a fourth event, a Principal's Hearings shall occur; which could lead to a suspension.

Notwithstanding the above, in light of circumstances that warrant suspension, a Principal's suspension for substantially disruptive behavior may be implemented in addition to or in lieu of removal of the student from the classroom by the teacher.

Once the teacher determines that the student has been substantially disruptive or substantially interferes with the teacher's authority over the classroom:

- the teacher must provide a verbal explanation to the student with as much privacy as is practicable in class (or within 24 hours of removal when at the time of initial removal, the student is a continuing danger of persons or property or an ongoing threat of disruption to the academic process) to inform the student of the reason(s) for the removal;
- prior to removal from the classroom (or within 24 hours of removal where the student presents an ongoing threat of disruption to the academic process or a continuing danger to persons or property at the time of removal), the teacher shall inform the student of the reason for the removal and allow the student to informally present his/her version of the relevant events;
- 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 and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.
- the building principal, or a designated administrator, must inform the student's parent of the removal and the reasons therefore within 24 hours of the student's removal;
- upon request, the student and his/her parent must be given an opportunity for an informal conference with the Principal or designee to discuss the reasons for removal. If the student denies the charge(s), the Principal or designee must provide an explanation of the basis for the removal and allow the student and/or his/her parent an opportunity to present the student's version of the relevant events within 48 hours of the student's removal.

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following: 1. The charges against the student are not supported by substantial evidence. 2. The student's removal is otherwise in violation of law, including the District's Code of Conduct. 3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

The District shall provide continued educational programming and related services for students who are removed from their classrooms.

An appeal brought by the parent or student over the age of 18 of a Principal's removal decision must be presented to the Superintendent of Schools prior to any further appeal.

EXAMPLES OF DISCIPLINARY CONSEQUENCES / INTERVENTIONS

Disciplinary Consequence/Interventions: All disciplinary action is subject to the discretion of the administration	
1	Warning (verbal or written)
2	Teacher assigned consequence such as detention or temporary assignment to an alternate location
3	Confiscation (item(s) may not be returned)
4	Administrator Assigned detention
5	School privileges revoked (recess, school activities, computer rights, driving, event attendance, etc.)
6	Assignment to In-school suspension and/or Learning Center
7	Teacher removal pursuant New York State Education Law §3214 and Project SAVE laws
8	Suspension from school for up to five days
9	Superintendent's long-term suspension in excess of five days (Hearing required)
10	Placement in an alternative educational setting for up to 45 school days
11	Filing of a PINS Petition (Persons in Need of Supervision) or JD Petition (Juvenile Delinquency)
12	Permanent Suspension (Expulsion)
13	Grade of "0" assigned
14	Behavioral Intervention Meeting between student, administration and/or staff member
15	Referred for Intervention (meeting with counselors, mediation, behavior plan, etc.)
16	Suspension from bus privileges
17	Referred to Law Enforcement

H. VIOLATIONS WITH POSSIBLE DISCIPLINARY CONSEQUENCES

VIOLATIONS – Disruptive Incidents	Disciplinary Intervention
A1. Disrupting the educational process	1, 2, 4, 5, 6, 7, 8, 14, 15, 16
A2. Repeated disruption and/or substantial interference with the school employee's authority.	1, 2, 4, 5, 6, 7, 8, 9, 14, 15, 16
A3. Carelessness in following school rules	1, 2, 3, 4, 5, 6, 8, 14, 15, 16
A4. Lying to school personnel	1, 2, 4, 5, 6, 8, 14, 15, 16
A5. Class, study hall, homeroom, teacher detention, administrative detention cuts	1, 2, 4, 5, 6, 14, 15
A6. Engaging in verbally rude, disrespectful behaviors	1, 2, 4, 5, 6, 7, 8, 9, 14, 15, 16
A7. Using inappropriate, vulgar or abusive language, cursing, swearing, gestures or symbolism, including, but not limited to, derogatory slurs or symbols that target individuals for their race, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight or disability	1, 2, 4, 5, 6, 7, 8, 9, 14, 15, 16
A8. Unauthorized use of electronic devices, including but not limited to, cellular phones, ear buds, headphones, smart watches, or any other non-school related electronic devices during the school day, including on the school bus	1, 2, 3, 4, 5, 6, 8, 14, 15, 16
A9. Violation of computer use policy	1, 2, 3, 4, 5, 6, 8, 9, 14, 15, 17
A10. Failure to obey the reasonable directives of staff (insubordination)	1, 2, 4, 5, 6, 7, 8, 9, 14, 15, 16
A11. Dress Code violation	1, 3, 4, 6, 14, 15, 16
A12. Possession or dissemination of obscene materials	1, 2, 3, 4, 5, 6, 8, 9, 10, 15, 16, 17
A13. Cheating in any academic, extra-curricular or co-curricular activity	1, 2, 5, 13, 14, 15
A14. Lewd behavior	6, 8, 9, 15, 16, 17
A15. Gambling	6, 8, 16, 17
A16. Plagiarism	1, 2, 5, 6, 13, 14, 15

A17. Possession of food or drink in restricted areas, including on the school bus	1, 2, 3, 4, 5, 16
A18. Public displays of affection beyond hand holding	1, 2, 4, 6, 14, 15, 16
A19. Tardiness to class/school	1, 2, 4, 5, 6, 11, 14, 15
A20. Aiding, abetting, encouraging or by-standing any infraction	1, 4, 5, 6, 8, 9, 10, 14, 15, 16, 17
A21. Mental or physical condition which endangers the health, safety and/or welfare of the student or others	4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17
A22. Unauthorized absence from school and/or leaving campus without authorization	1, 4, 5, 6, 8, 9, 11, 14, 15
A23. Driving recklessly, speeding, failing to follow adult directives in school parking lot and on school grounds, parking in unauthorized areas, failure to display student parking permit	1, 5, 8, 9, 17
A24.Possesion or distribution of over the counter medications without medical documentation (example, but not limited to, Tylenol, ibuprofen, cough medicine, ingestible CBD products, etc.)	1, 3, 4, 6, 8, 9, 14, 15, 17
A25. Violation of Athletic Code of Conduct	Consequences as outlined in the Athletic Code of Conduct
VIOLATIONS – Minor Altercations	**Disciplinary Intervention**
B1. Aggressive behavior between students where no dangerous Instruments are involved and no person is injured in the altercation (physical injury as defined by the NYS Education Department)	4, 5, 6, 7, 8, 14, 15, 16, 17
B2. Abusive and/or indecent language and/or gestures directed at school employees or students on school grounds or at school functions which provoke a fight	4, 5, 6, 7, 8, 14, 15, 16, 17
B3. Pushing or shoving that does not result in injury (physical injury as defined by NYS Education Department)	1, 2, 4, 5, 6, 8, 14, 15, 16
VIOLATIONS – Intimidation, harassment, menacing or bullying	**Disciplinary Intervention**
C1. Teasing/bullying or cyberbullying/hazing/threatening	1, 2, 4, 5, 6, 8, 9, 14, 15, 16, 17
C2. Intimidation or coercion	6, 7, 8, 9, 10, 14, 15, 16, 17
C3. Rumor initiation and dissemination by any method involving any student, staff member, or administrator of the school district	1, 2, 4, 5, 6, 8, 9, 14, 15, 16, 17
C4. Harassment (sexual, racial, etc.)	4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17
C5. Extortion	4, 5, 6, 7, 8, 9, 10, 16, 17
C6. Retribution of any kind against any student, staff member, or administrator	1, 2, 4, 5, 6, 7, 8, 9, 14, 15, 16, 17
C7. Threatening, stalking, or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal, non-verbal or physical conduct that threatens another with harm, including intimidation on or off school property through the use of epithets or slurs involving race, ethnicity, national origin, weight, religion, religious practices, gender, sexual orientation, age, or disability that substantially disrupts the educational process, with or without a weapon	1 through 12, 14, 15, 16, 17 Any consequence may apply

C8. Recording, photographing, distributing a recording, or distributing a photograph, of anyone without their consent, including faculty, staff or students	1, 2, 4, 5, 6, 8, 9, 14, 15, 16, 17
***Disciplinary measures may be enforced for intimidation, harassment, menacing, bullying or hazing violations that occur in physical, written, verbal or electronic form. In some cases, off-school conduct (such as cyberbullying that originates on or off campus) can result in disciplinary consequences at school**	
VIOLATIONS - Incidents involving physical injury or the threat of injury	**Disciplinary Intervention**
D1. Fighting between students where physical injury is caused to one or more of the combatants (physical injury as defined by NYS Education Department)	6, 7, 8, 9, 10, 16, 17
D1.A. Fighting with no physical harm	6, 7, 8, 9, 10, 16, 17
D2. An altercation involving the use or threatened use of a weapon	3, 7, 8, 9, 10, 12, 16, 17
D3. Reckless Endangerment: subjecting individuals to danger by recklessly engaging in Conduct that creates a grave risk of death or serious injury but no actual physical injury	8, 9, 10, 12, 16, 17
D4. Assault with Physical Injury: intentional or reckless act causing impairment of physical condition or substantial pain	9, 10, 12, 16, 17
D5. Arson	6, 8, 9, 10, 12, 16, 17
VIOLATIONS – Criminal Mischief/Misdeeds	**Disciplinary Intervention**
E1. Vandalism/Intentional destruction of school or personal property/Graffiti	3, 4, 5, 6, 8, 9, 16, 17
E2. Forgery or fraud (e.g., intentional defacing of documents, unauthorized alteration)	3, 4, 5, 6, 8, 9, 16, 17
E3. Trespassing (being on school property or at school sponsored events, whether on or off campus) while suspended from school	6, 8, 9, 16, 17
VIOLATIONS – Incidents involving possession of weapons, drugs or alcohol	**Disciplinary Intervention**
F1. Smoking or other tobacco use **,** sale or possession (including electronic cigarettes and vaporizer/vapor pens or other devices used to inhale non-prescription substances and related paraphernalia) on campus (including in vehicles) or within 100 feet of any entrance, exit or property boundary of a school, or at school functions, whether school functions are on or off campus	3, 4, 5, 6, 8, 9, 15, 16, 17
F2. Use or possession of lighters, light or laser pointers	3, 5, 6
F3. Sale or other distribution of illegal drugs, alcohol or counterfeit drugs, prescription drugs, synthetic drugs such as synthetic cannabinoids whether or not specifically illegal, drug paraphernalia, or a substance which the individual believes or represents to be such drugs or alcohol, at school or while at school functions	3, 6, 8, 9, 10, 15, 16, 17
F4. Possession, use, or odor of illegal drugs, dangerous drugs, counterfeit drugs, prescription drugs, synthetic drugs such as synthetic cannabinoids whether or not specifically illegal, drug paraphernalia, or alcohol, or a substance which the individual believes or represents to be such drugs or alcohol, at school or at school functions	3, 5, 6, 8, 9, 10, 17
F5. Use or possession of fireworks on school property or at school functions	3, 4, 5, 6, 8, 9, 10

F6. Use or possession of dangerous or deadly weapons on school property* *Results in a suspension from school for at least one (1) year pursuant to the Gun-Free Schools Act of 1994 (subject to the right of the Superintendent to modify such penalty)	3, 8, 9, 10, 17
VIOLATIONS – Other	**Disciplinary Intervention**
G1. Commission of conduct which constitutes a misdemeanor while on school property or at a school function	5, 6, 7, 8, 9, 10, 17
G2. Commission of conduct which constitutes a felony while on school property or at a school function	6, 7, 8, 9, 10, 17
VIOLATIONS – Theft	**Disciplinary Intervention**
H1. Theft of personal or school property	3, 5, 6, 8, 9, 10, 15, 16, 17
VIOLATIONS – False Alarm/Bomb Threats	**Disciplinary Intervention**
H2. Activation of a false alarm (fire or other disaster alarm)	9, 10, 15, 16, 17
H3. Bomb Threat	9, 10, 15, 16, 17

- These lists of violations and consequences are not all-inclusive.
- Additional types of consequences may be implemented at the discretion of the school administrator.
- Consequences twelve (12) and fourteen (14) are circumstantially driven rather than violation driven. Therefore, those consequences may be applied to any violation, depending upon the circumstances.
- The repetition of violations may lead to the next measure of consequence (progressive discipline).
- Chronic repetition of any level of violation may lead to long-term suspension or expulsion.
- The administration reserves the right to implement disciplinary action for incidents not specifically identified above.
- Law enforcement may be involved with any infraction as determined by Administration or Designee.
- All Code of Conduct rules apply to the school bus.
- All Code of Conduct rules apply to offsite, school sanctioned events, including but not limited to: field trips, athletic events, prom, etc.

I. DESCRIPTION OF CERTAIN VIOLATIONS

1. **Use of vulgar or abusive language, cursing, swearing, gestures or symbolism that target a student's real or perceived race, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight or disability and other protected groups:** All district staff should exemplify and reinforce acceptable student language and actions in the school setting. All district staff should address and intervene when such language is used, or, if they see symbols which could be reasonably suspected to target a student's identity as described above, for example: the use of racial or religious slurs, display of the confederate flag on clothing or property, use of sexual anatomy as a slur or epithet. This list is illustrative rather than all-inclusive, any language, gestures or symbols that fit this category could be subject to disciplinary measures.

2. **Dress and Grooming:**

Philosophy
Highland Central School District's student dress code supports equitable educational access and is written in a manner that does not reinforce stereotypes. In order to foster a welcoming and affirming environment, students should be allowed to wear clothing of their choice that is comfortable, expressive of themselves and their cultural or religious beliefs, and safe for school.

To ensure effective and equitable enforcement of this dress code, and in accordance with the Dignity for All Students Act (DASA), school staff shall enforce the dress code consistently, sensitively, and in a manner that does not reinforce or increase marginalization or oppression of any group based on the following criteria:

- Race
- Sex
- Gender identity
- Gender expression
- Sexual orientation
- Ethnicity
- Religion
- Cultural observance
- Household income
- Body type/size

Dress Code
Students Must Wear:

- A shirt (with fabric in the front, back, and on the sides under the arms)
- Pants/jeans or the equivalent (for example, a skirt, sweatpants, leggings, a dress or shorts).
- Shoes
- The following body parts must be covered at all times:
    - Breasts
    - Buttocks
    - Genitals

Students May Not Wear:

- Violent language or images
- Images or language depicting/suggesting drugs, alcohol, vaping or paraphernalia (or any illegal item or activity)
- Hate speech, profanity, pornography (including but not limited to: confederate flags, Nazi imagery, or other hate group imagery)
- Images or language that creates a hostile or intimidating environment based on any protected class or consistently marginalized groups
- Any clothing that reveals visible undergarments or is see-through (visible waistbands and visible straps are allowed), for example:
    - Briefs, boxers, underpants
    - Bras, bralettes, lingerie
- Undergarments as outerwear
- Backless garments
- Swimsuits (except as required in class, athletic practice, or other special events)
- Accessories that could be considered dangerous or could be used as a weapon
- Bullet proof vest, body armor, tactical gear, or facsimile
- Any item that obscures the face, except as a religious observance or as personal protective equipment (PPE)
- Sunglasses indoors (except as a medical requirement)

3. **Alcohol/Drugs/Illegal Substances:** Students shall not possess, transfer, use, sell, or otherwise furnish or be under the influence of any illegal and/or controlled substance (including synthetic drugs such as synthetic cannabinoids whether or not specifically illegal), alcoholic beverage, vaporizer device, nicotine or tobacco product, or intoxicant of any kind on school property or at a school-related function whether on or off school property. Students shall not transfer, furnish, offer, arrange, or negotiate to sell any controlled or illegal substances, alcoholic beverage, or intoxicant of any kind, and then either sell, deliver, or otherwise furnish to any person another liquid, substance, or material representing it as a controlled substance, alcoholic beverage, or intoxicant. Students shall not transfer, furnish, possess, use, or sell "over the counter" or prescription drugs. **(This applies to over-the-counter drugs like Advil and Tylenol.)** With reasonable individualized suspicion, a search of the student and/or his/her possessions may be conducted by an administrator or administrator designee.

   Students may be disciplined for violating this policy in school, at any school activity, whether on or off school property, school vehicles, personal vehicles, traveling to or from school, or traveling to or from school or a school activity. The possible disciplinary measures for such an act are outlined in the Disciplinary Intervention section of this Code of Conduct.

4. **Contraband/Weapons/Dangerous Instruments/Nuisance:** Students shall not possess on themselves or in their cars, lockers or anywhere else on school property or at school related activities, whether on or off school property, dangerous and/or illegal items including, but not limited to the following:
    a. A firearm, as defined in the Gun-Free Schools Act (18 USC §921), including:
        - a starter gun which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive;
        - the frame or receiver of such firearm;
        - any firearm muffler or silencer;
        - any destructive device, including:
            - any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having any explosive or incendiary charge of more than one-quarter ounce, mine, or similar device; any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

    b. A weapon including but not limited to any other gun (including imitation and look-alikes), BB or pellet gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, electronic stun gun, spring gun, cap gun; dagger, dirk, razor, stiletto, switchblade knife, utility knife, pocket knife, gravity knife, pilum ballistic knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, martial arts instrument including but not limited to Kung Fu star, ninja star, nunchuck, chukka or shirken, billy club, blackjack, bludgeon of any type, sandbag, sandclub; deadly or dangerous chemical including but not limited to a strong acid or base, Mace or pepper spray or other noxious spray; explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death. "Weapon" shall also include any other instrumentality or device defined as a "weapon" under any provision of the New York State Penal Law, or under the U.S. Code. (Toy weapons may also fall under this category)
    c. Objects not normally considered to be weapons (e.g., scissors, pens, pencils, padlocks, trays, utensils, books, etc.) may nonetheless be used as weapons, or used in a manner in which it is reasonably foreseeable that personal injury or property damage would result. Discipline for the use of an instrument used as a weapon may, in the discretion of the Superintendent or designee, coincide with, but not be limited to, the suspension periods governing weapons. Possible disciplinary measures for such an act are outlined in the Disciplinary Intervention section of the Code of Conduct.
    d. Students shall not possess, use, or distribute unauthorized nuisance items such as but not limited to graffiti instruments, noxious chemicals, water guns, water balloons, whistles, air horns, cap guns, or stink bombs.
    e. Any items considered contraband, weapons, dangerous instruments, or a nuisance that are confiscated will not be returned.

Any stakeholder who witnesses or hears about items considered to be dangerous shall immediately report such information to an administrator.
Items brought to school for demonstration in a teacher-directed and supervised activity must have prior administrative approval and may not be transported on the school bus. The approved item must be in the possession of the appropriate faculty/staff member at the start of the school day. Under no condition shall the student have the items in his/her possession during the school day (except for the period of time for the supervised demonstration).

5. **Computer and Internet Use (Telecommunications Use)**
The following prohibited use of District-owned technology, including but not limited to computer drives, laptops, tablets, iPods, network facilities, the Internet and Internet links, may give rise to disciplinary action against users of such equipment and/or facilities: (The school district is not responsible for lost or stolen electronic devices)

    a. The use of electronic devices during the instructional day may be determined by the adult in charge of the specific instructional space. School administrators may also designate areas of the school where use of electronic devices may be either permitted or forbidden.
    b. E-mail, web pages, computer programs, or other computer files or electronic communications created by a student or another individual at a student's request that originates from the school premises or which is

received at the school premises or school event or activity or which affects the operation of the school or a school event or activity that: is lewd, vulgar, obscene, indecent, or inappropriate for student recipients of certain ages; conveys an imminent threat of violence, including sexual violence, or is cyber bullying to a specific individual or individuals or the school district; constitutes a state and/or federal crime; is the cause of or a substantial contributing factor to a substantial interference with the orderly functioning of the school(s); attributes the text of e-mail or other electronic communications to school officials or that the text is school endorsed, unless there is such official endorsement or consent from school officials.

c. Computer and/or internet use that circumvents access restrictions placed upon the District's computer systems by the Board of Education or its administrative designee(s).
d. Computer and/or Internet use that is not school related or is unauthorized or violates the Telecommunications Use Policy.
e. Permitting the use of a student's computer access code by any other person and such student shall assume responsibility for occurrences in violation of this Code of Conduct that occurs under the student's access code number.
f. E-mails or other electronic communications created by a student or another individual at a student's request, which originates from an off-campus computer or site and which is received at the school premises or by one or more District students or staff members at their homes or other off-campus sites which conveys threats of violence to a specific individual or individuals or to the school district may give rise to disciplinary action against such student.

J. REMOTE LEARNING CONDUCT

During remote learning, students shall be held to the same standards set forth in the Code of Conduct, including the prohibited conduct and potential penalties. Listed below are some examples.

Some examples of violations include, but are not limited to:

- Inappropriate comments, language, and/or actions to a student or staff member
- Using school provided email to bully, threaten or speak to a student/staff member inappropriately.
- Displaying any virtual backgrounds, photographs or objects during a videoconference or during remote learning that would violate the Code of Conduct.

Some examples of consequences/interventions include, but are not limited to:

- Restricted access to online learning platform
- Report to law enforcement

K. REPORTING DIGNITY FOR ALL STUDENTS (DASA) VIOLATIONS

Any witness (student, parent, community member, employee, etc.) may report a violation of the Dignity for all Students Act (DASA) by either submitting a DASA complaint form found in the Highland Central School District buildings or on the District web site or verbally reporting the incident to a member of the faculty, a DASA coordinator or the Building Principal. Once the form is submitted:

1. The principal, superintendent or the principal's or superintendent's designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written reports.
2. When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the superintendent, principal, or designee shall take prompt action, reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such behavior was directed.
3. The principal, superintendent, or their designee shall notify promptly the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.

4. Pursuant to Education Law section 13, retaliation by any school employee or student shall be prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination (including witnesses).

Highland Central School District DASA Coordinators

Under DASA, at least one employee in every school shall be designated as a Dignity Act Coordinator and thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex and other protected groups. If you are a victim of, or witness to, an act of bullying, harassment or discrimination, talk to your teacher, School Counselor or a Dignity Act Coordinator.

- **Highland Elementary School - 845.691.1070**
  Assistant Principal
  Social Worker

- **Highland Middle School - 845.691.1080**
  Assistant Principal
  School Counselor

- **Highland High School - 845.691.1020**
  Assistant Principal
  School Counselor
  School Psychologist

- **District DASA Coordinator – 845-691-1014**
  Assistant Superintendent

Resources:

Highland Central School District Policy Manual

Policy 3411 PROHIBITION OF WEAPONS ON SCHOOL GROUNDS
Policy 3420 NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT
Policy 3421 TITLE IX AND SEX DISCRIMINATION
Policy 5640 SMOKING/TOBACCO USE
Policy 6110 CODE OF ETHICS FOR ALL DISTRICT PERSONNEL
Policy 6121 SEXUAL HARASSMENT OF DISTRICT PERSONNEL
Policy 6151 DRUG-FREE WORKPLACE
Policy 6160 WHISTLEBLOWER PROTECTION
Policy 6315 and 7315 STUDENT AND STAFF ACCEPTABLE USE POLICY (AUP)
Policy 6315R and 7315R STUDENT AND STAFF ACCEPTABLE USE
Policy 7310 SCHOOL CONDUCT AND DISCIPLINE
Policy 7340 BUS RULES AND REGULATIONS
Policy 7316 STUDENT USE OF PERSONAL TECHNOLOGY
Policy 7360 WEAPONS IN SCHOOL AND THE GUN-FREE SCHOOLS ACT
Policy 7500 DIGNITY FOR ALL STUDENTS: PROHIBITING DISCRIMINATION AND HARASSMENT OF STUDENTS
Policy 7550 COMPLAINTS AND GRIEVANCES BY STUDENTS
Policy 7551 SEXUAL HARASSMENT OF STUDENTS
Policy 8130 EQUAL EDUCATION OPPORTUNITIES
Policy 8271 INTERNET SAFETY/INTERNET CONTENT FILTERING

STUDENTS ARE THE PRIORITY
Highland Central School District

Dignity Act Timeline: What Happens Next?

1. The Dignity Act Coordinator or another adult will talk to the student(s) about the issue and might ask more questions.

2. Adults will look into the problem and talk to anyone else who might know about what happened. (Generally can take up to 3 school days)

3. After looking at all of the information a decision will be made. The person who filed the report, the student, the parents and anyone who has been accused will be told what the outcome is.

4. Examples of issues:
   - Bullying
   - Conflict
   - Mean Behavior that is not bullying
   - A Misunderstanding

5. The school will take steps to support all students involved.

6. An adult will check-in with student(s) 3-5 days after the investigation is complete to see how they are doing.

7. If the same issue persists tell any school employee to fill out another DASA form.

Click here for the [DASA REPORTING FORM]

L. REPORTING CODE VIOLATIONS

1. **To School District Personnel**
   All district stakeholders are encouraged to promptly report violations of the Code of Conduct to a teacher, guidance counselor, the Building Principal or his or her designee. Any district stakeholder observing a student or adult possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Principal, the Principal's designee, building/program administrator or the Superintendent of Schools.
   All district personnel who are authorized to impose disciplinary interventions are expected to do so in a prompt, fair and lawful manner. District personnel who are not authorized to impose disciplinary interventions are expected to promptly report violations of the Code of Conduct to their supervisor, who shall in turn impose an appropriate disciplinary intervention, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.
   All individuals shall report any threat of violence, including but not limited to bomb threats, threats to persons or property, whether by oral, written or electronic means, to the Building Principal or, in his/her absence, the Acting Building Principal or the Superintendent of Schools.

2. **To Local Law Enforcement Agencies**
   The District will report any acts of violence against persons that constitute a felony or misdemeanor and other violations of the Code of Conduct which constitute a felony to the appropriate local law enforcement agency when the individual is over the age of 16 (e.g. theft; destruction of school property; assault; false fire reports; arson; bomb threats; use, possession, distribution or sale of drugs or alcohol; use, possession, distribution or sale of a dangerous or deadly object or a potentially dangerous or deadly object). When necessary, the District will file a complaint in criminal court against the individual. Any student who has been determined to have brought a weapon to school shall be referred to the appropriate law enforcement agency in accordance with Education Law, Section 3214(3)(d).

3. **To Human Services Agencies**
   The District will report any violations of the Code of Conduct, which constitute a crime when the individual is under the age of 18 to the appropriate human services agencies. When necessary, the District will file a Juvenile Delinquency (JD) Petition or a Person in Need of Supervision (PINS) petition in Family Court.

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; or
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; or
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.

*A discrepancy exists between the age limitations set forth by New York Family Court Act § 712 and Education Law § 3205. Pursuant to the Education Law, the compulsory attendance age continues to be until the end of the school year in which the individual turns 16 years of age.

4. **Juvenile Delinquents and Juvenile Offenders**
   The Superintendent is required to refer the following students to the appropriate law enforcement officials 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 Criminal Procedure Law § 1.20 (42)

M. STUDENT SUSPENSION PROCESS

The Board of Education, District Superintendent, Superintendent of Schools, Building Principal or in his/her absence, an acting Building Principal, may suspend a student from school where it is determined that the student:

a. is insubordinate or disorderly, or violent or disruptive, or whose Conduct otherwise endangers the safety, morals, health, or welfare of others; or
b. is removed from a classroom for substantially disrupting the educational process or substantially interfering with the teacher's authority in the classroom four or more times in one semester.

In addition to the statutory grounds for suspension from school, as stated above, students shall also be subject to suspension based upon a violation of the specific disciplinary infractions listed above. *(For more information on suspensions, please click here.)*

1. **Pre-suspension Process:** Prior to being suspended from school, the student shall be provided a meeting time by a school official empowered to suspend, as referenced above, at which time the evidence upon which the decision to suspend is based shall be stated to the student and the student shall be given the opportunity to explain his/her version of the facts. The student shall also be afforded the right to present other persons to the suspending authority in support of his/her version of the facts.
   * If the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, such meeting shall occur following suspension, as soon thereafter as is reasonably practicable. Witnesses for the accused student cannot be compelled or coerced to serve as a witness by the accused student; rather their participation in the process is voluntary.

2. **Short Term Suspension Process:** Except as otherwise set forth in this Section XV, the student and his/her parent/guardian shall be notified, in writing, by personal delivery, express mail or overnight service, and by telephone, if possible, within 24 hours of the decision for suspension from school for between one and five days.

   Such written notice shall include a description of the incident(s) resulting in the suspension and shall inform the parent/guardian of their right to request an immediate informal conference with the Principal at which time the student and/or his/her parent/guardian may present the student's version of the event and ask questions regarding the complaint or the incident. Upon such request, an informal conference with the Principal and other parties involved shall be convened as soon as possible. The right to an informal conference with the Principal shall also extend to a student if 18 years of age or older. The notice and informal conference shall be in the dominant language or mode of communication used by the parent/guardian. If the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

   Any appeal brought by the parent/guardian or student over the age of 18 of a Principal's suspension must be presented to the Superintendent of Schools.

3. **Long-Term Suspension Process: Suspension for More than Five Days:** Any suspension from school in excess of five school days shall be considered a long-term suspension. Unless there is an agreement between the person requesting the suspension and the parent/guardian, a long-term suspension may be put into effect only after the Superintendent of Schools or the Board of Education has conducted a hearing.
   When a student is subject to a long-term suspension, a hearing shall be conducted by the Superintendent if the Building Principal, acting Building Principal, or the Superintendent has made the original suspension, or before the Board where that body has made the original suspension. The Superintendent of Schools or Board of Education may designate a Hearing Officer to make findings of fact with respect to the charges of infractions under this Code of Conduct, as well as penalty recommendation pursuant to the penalty parameters described herein.

4. **Hearing Procedures**
   a. **Notice of Hearing -** In the event of the suspension of a student under the age of 18 years, the notice of suspension hearing will be mailed or delivered to the parent/guardian, who shall have a minimum of 48 hours' notice of the time and place of the hearing, as well as the nature of the charge(s) and the facts, sufficiently stated so that a proper defense may be placed upon the record on behalf of the student.
      In the event of the suspension of a student over the age of 18, the notice, as described above, shall be delivered

or mailed to the student, as well as to the student's parent(s)/guardian(s), if any. Emancipated minors shall be entitled to the same notice rights as a student beyond the age of 18 years.
All notices of long-term suspension hearings shall contain provisions indicating that the student has the right to be represented by an attorney or lay counsel, that a transcript of the hearing will be prepared (tape recording or stenographic record), and that the student has the right to subpoena witnesses or otherwise present witnesses in his/her defense. The time, date, and location of the hearing shall also be prominently set forth in the notice. The student's past anecdotal disciplinary record, if any, will be attached to the notice.

b. **The Long-Term Suspension Hearing -** The hearing shall be conducted by the Superintendent or a designated Hearing Officer, as permitted by law, in the event of a suspension by a Building Principal, acting Building Principal, or the Superintendent. The hearing shall be Conducted by the Board or its designated Hearing Officer in the event that the suspension originated by Board action.

5. **Alternative Instruction:** Pursuant to the Education Law, no student of compulsory education age shall be suspended from school in his/her regularly scheduled classes without being provided alternative equivalent instruction, either in the form of home instruction or instruction in an alternative setting. Such instruction shall be of an equivalent nature to that provided in the student's regularly scheduled classes. A good faith effort shall be made to provide such alternative instruction immediately.

6. **Appeals Process:** The decision of the Superintendent with respect to the findings of fact sustaining charges in a long-term suspension hearing and/or penalty determination may be appealed to the Board of Education within 30 days of the Superintendent's decision. The Board shall review the record of the proceedings before the Superintendent or his/her designated Hearing Officer, including a review of the transcript of the proceedings, documentary evidence and written arguments of the representatives of the respective parties, if any were accepted into evidence at the hearing. The Board does not provide the representatives of the respective parties with the opportunity either to present evidence not previously in the record or to make arguments in person before the Board.

   In the event that the initial long-term suspension hearing was conducted by the Board or its designated Hearing Officer, or where the Board has ruled on an appeal from a Superintendent's long-term suspension hearing, the matter may be further appealed to the Commissioner of Education.

   The Board may review findings of fact, uphold the penalty, reduce the penalty or condition a suspended student's early return to school or suspension revocation upon: (1) a student's voluntary participation in counseling or (2) voluntary participation in special classes, such as those addressing anger management or dispute resolution.

7. **Supports for students returning from suspension:** Students returning from suspension should be provided with supportive services to maximize their ability to meet social and academic standards within the school community. Support services may include any range or interventions which best meet the needs of the individual student. Some examples of these services include but are not limited to assignment to the learning center for a transitional time period; adjustments in the student's schedule; behavior contracts; counseling; mentoring, etc.

8. **Off-Campus Misconduct:** A student may be subject to discipline for conduct constituting a crime which is committed off of school premises or at non-school sponsored activities to the extent that the Superintendent of Schools or Board of Education reasonably believes that the continued attendance in school of the student would adversely affect the educative process (e.g., disrupts the operation of the school) or would constitute an endangerment to the health, safety, welfare, or morals of the student and/or others in our schools.
   A student may be subject to discipline for off-campus misconduct that does not involve criminality that the Superintendent of Schools or Board of Education reasonably believes has a nexus to the educative process (i.e., student-student, student-personnel, interactions that foreseeably would have a detrimental or disruptive effect upon school programs or activities).
   A student may also be subject to discipline for cyberbullying that occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property including instances of: severe bullying or harassment targeted at particular individuals; threats aimed at the school community; speech concerning the failure to

follow school rules, including lessons, the writing of papers, the use of computers or participation in other school related online activities; and breaches of school security devices.

N. ADDITIONAL SUSPENSION PROCESS FOR STUDENTS WITH DISABILITIES

A principal may suspend a student with an educational disability for a short-term (5 school days or less) in the same manner as non-disabled students may be suspended. A principal's designation of an Interim Alternative Educational Setting (IAES) must be made in consultation with the student's special education teacher. *(For more information, go to http://www.p12.nysed.gov/specialed/lawsregs/part201.htm.)*

In the event that a student has a known disability or when school officials can be deemed to know, in accordance with law, that a student has a disability, the District will first proceed to conduct a §3214 disciplinary proceeding for any suspension of more than five days. The §3214 disciplinary proceeding will be held in two parts, first to determine the student's guilt or innocence on the charges and the second to determine the penalty. A manifestation determination review will be conducted after the first part of the hearing and prior to the penalty determination part of the hearing.

1. **Section 504/Title II ADA Disability:** Before discipline may be meted out for a student with a disability or suspected disability founded solely under §504 of the Rehabilitation Act of 1973 (hereinafter "§504")/Title II of the Americans with Disabilities Act (hereinafter the "ADA"), the §504 multi-disciplinary committee (hereinafter the "§504 Committee") must make a determination of whether the Conduct underlying the charge(s) was a manifestation of the disability.
    a. If a nexus is found between the disability and the conduct, **no** additional discipline shall be imposed and the record of discipline imposed to date shall be expunged. The §504 Committee shall consider any appropriate evaluations and/or modifications to the student's accommodation plan.
    b. If no nexus is found, yet nonetheless a disability is indicated or has been identified, discipline may be imposed in the same manner as it would be for nondisabled students, upon remand to the §3214 hearing officer. Any penalty imposed may not be based on past behavior for which a nexus determination was not made. A change in placement, i.e., a suspension, removal or transfer in excess of 10 school days must be preceded by notice and an evaluation conducted by the §504 team.
    c. Students with a recognized §504/ADA disability who are currently using or in possession of alcohol or drugs may be disciplined, regardless of their disability status, in the same manner and to the same extent as non-disabled students.
    d. The School District must continue to provide a free appropriate public education to students who have been suspended from school as required by the regulations implementing §504 (34 CFR §104 et. seq.) until the end of the school year in which the student reaches the age of 21.

2. **IDEA Disability:** For students classified or presumed to have disabilities under the Individuals with Disabilities Education Act (hereinafter "IDEA") (a student with an educational disability), a Manifestation Team must make a Manifestation Determination prior to a student's suspension for ten (10) or more consecutive school days or prior to a suspension of ten (10) school days or less, if it has been determined that a suspension for less than ten (10) consecutive school days would constitute a disciplinary change in placement.

    A series of suspensions that are each ten (10) or fewer school days in duration may create a pattern of exclusions that constitutes a disciplinary change in placement. That determination will be made on a case-by-case basis in accordance with applicable law and regulation. Among the factors considered in making this determination are the length of each suspension, the proximity of the suspensions to one another, and the total amount of time the student is excluded from school.

    A student shall be presumed to have a disability if prior to the time the behavior occurred:
    a. The parent or guardian of the child has expressed in writing to supervisory or administrative personnel of the appropriate educational agency or to a teacher of the student that the student is in need of special education, provided that such notification may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
    b. The parent of the student has requested an evaluation of the student; or

c. A teacher of the student or other personnel of the District has expressed specific concern about a pattern of behavior demonstrated by the student to supervisory personnel in the District in accordance with the District's child-find procedures.

A student shall not be presumed to have a disability for discipline purposes, despite satisfaction of one or more of the above criteria, if:

a. The parent of the student has not allowed a relevant evaluation of the student by the Committee on Special Education ("CSE");
b. The parent of the student has refused special education services; or
c. It was determined by the CSE or Committee on Preschool Special Education ("CPSE") that the student is not a student with a disability; or
d. It was determined that an evaluation was not necessary and the District provided appropriate notice to the parents of such determination.

3. **Manifestation Determinations:** A Manifestation Team, which shall include a representative of the school district knowledgeable about the student and interpretation of information about child behavior, the parent and relevant members or the committee on special education as determined by the parent and the school district. The parent must receive written notification prior to any manifestation team meeting to ensure that the parent has an opportunity to attend and inform the parent(s) of their right to have relevant members of the CSE participate at the parent's request.
   a. When making a manifestation determination, the Manifestation Team shall review all relevant information in the student's file including the student's IEP, any teacher observations and any relevant information provided by the parents to determine if:
      i. The conduct in question was caused by or had a direct and substantial relationship to the student's disability; or
      ii. The conduct in question was a direct result of the school district's failure to implement the IEP

   If either of the aforementioned criteria listed as "i." and "ii." above are answered affirmatively, the conduct in question shall be deemed to be a manifestation of the student's disability.

   When a Manifestation Team determines that the conduct in question was a manifestation of a student's disability, the CSE shall meet to recommend and conduct a functional behavioral assessment and implement a behavior intervention plan in accordance with 8 NYCRR § 201.3 and 201.4(d)(2)(a)).

   A meeting for the sole purpose of making a manifestation determination does not require five calendar days' notice to the student's parent or guardian at the meeting. However, if the CSE meets to consider a change in placement in conjunction with the manifestation determination, the five-day notice requirement of §200.5(a) (3) of the Commissioner's Regulations is applicable and parental participation in all CSE meetings is expected and strongly encouraged.

4. **Discipline of Students with Disabilities When the Manifestation Team has made an Affirmative "Manifestation Finding":** When an educationally disabled student's conduct is a manifestation of the child's disabling condition, a student classified under IDEA may only be suspended from school for more than 10 consecutive school days, if one of the following applies:
   a. The CSE recommends a change in placement on the student's Individualized Education Plan (IEP) and/or Behavior Intervention Plan and the parent, guardian or eighteen-year or older student consents to such change in writing following receipt of their Procedural Safeguards Notice.
   b. A court order or order from an impartial hearing officer of suspension/removal of a dangerous student pursuant to 8 NYCRR 201.8 is obtained.
   c. The violation involves weapons, drugs or serious bodily injury.

5. **Suspensions of Students with Disabilities With Misconduct Involving Weapons and/or Drugs and/or Serious Bodily Injury:** A student classified or deemed to be known as having an educational disability under IDEA may be suspended and placed in an Interim Alternative Educational Setting ("IAES") for up to forty-five (45) school days (less if the discipline for a non-disabled student would be less), if the student is found guilty of: 1) carrying or possessing a weapon while at school, on school property or while at a school function; 2) knowingly possessing or using illegal drugs, or selling or

soliciting the sale of a controlled substance while at school, on school premises or while at school function; or 3) inflicting a serious bodily injury to another person while at school or a school function.

a. In accordance with law, the term "weapon" means "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2-1/2 inches in length." While a pocketknife with a blade of less than 2-1/2 inches in length is not a weapon for purposes of Commissioner's Regulation §201.7, the student will, however, be subject to discipline under the Code of Conduct, including suspension from school.
b. In accordance with law, the term "illegal drugs" means controlled substances but not those legally possessed or used under the supervision of a licensed health care professional or other permitted authority under the Federal Controlled Substances Act or under any other provision of Federal law.
c. Controlled substances are drugs and other substances identified under schedules set forth in applicable Federal law provisions.
d. In accordance with law, the term "serious bodily injury" means bodily injury which involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Before a student is suspended and placed in an IAES for up to forty-five (45) school days for behavior involving weapons and/or drugs and/or serious bodily injury, the Manifestation Team must conduct a manifestation determination. Placement in an IAES as a result of conduct involving weapons and/or drugs and/or serious bodily injury is not contingent upon a Manifestation Team determination that the misconduct is not related to the student's disability.

a. If the student is or may be placed in an IAES, the CSE shall as appropriate, recommend functional behavioral assessment and behavior intervention, or review any such pre-existing, plan for modification; and
b. A CSE shall determine and recommend an IAES reasonably calculated to enable the child to continue to receive educational services, participate in the general curriculum and progress toward meeting IEP goals and objectives during the period of suspension from instruction.

6. **Demonstrating That a Student With a Disability is "Dangerous":** To continue the suspension of a student classified or deemed to be known as having an education disability under IDEA for more than ten (10) consecutive school days, the School District may commence an expedited hearing before a special education impartial hearing officer to demonstrate that a student is "dangerous" and is substantially likely to cause injury to himself or others if returned to his last agreed upon placement. An impartial hearing officer may order the placement of the student in an interim alternative setting for up to forty-five (45) school days in accordance with 8 NYCRR §201.8 and 201.11
   a. The Manifestation Team must still conduct a manifestation determination within ten (10) consecutive school days of the initial disciplinary action.
   b. If the student is or may be placed in an IAES, the CSE shall as appropriate, recommend functional behavioral assessment and behavior intervention plan, or review any such pre-existing, plan for modification; and
   c. An impartial Hearing Officer's determination allowing a student's placement in an IAES as a result of dangerous behavior is not contingent upon a Manifestation Team determination that the misconduct is not related to the student's disability.

7. **Discipline of Students with Disabilities when the Manifestation Team has made a "No Manifestation Finding":** Where a student with a disability's conduct is found not to be a manifestation of his/her disability he/she may be disciplined in the same manner and to the same extent as nondisabled students. In such instances, the CSE shall meet upon proper notice to determine any appropriate evaluations which must be performed, changes to a student's IEP and to recommend an appropriate IAES where the child can continue to receive educational services, although in another setting, that enable the child to participate in the general curriculum and progress toward meeting IEP goals and objectives during the period of suspension from instruction.

8. **Pendency Placement:** An IAES shall be deemed the student's "stay put" placement for up to forty-five (45) school days, during the pendency of any expedited due process proceedings commenced by parents to contest 1) a finding that a student is not "presumed to have a disability", and/or 2) a finding that the student's misconduct was not a manifestation of the student's disability, and/or 3) a decision to place a student in an CSE recommended IAES for misconduct involving weapons and/or drugs and/or serious bodily injury, and/or 4) the decision of an impartial hearing

officer in a dangerousness hearing and/or 5)the appropriateness of an IAES program recommended by the CSE in the context of one of the four categories of action listed above.

9. **Declassified Students:** In accordance with law, the CSE must conduct a manifestation determination in the case of a student with an educational disability who has been declassified if the disciplinary matter involves behavioral problems.

O. SUSPENSION FROM EXTRA-CURRICULAR AND CO-CURRICULAR ACTIVITIES, AND SCHOOL FUNCTIONS

A student may be suspended from participating in extra-curricular or co-curricular activities (including a sports team) for an infraction of any of the provisions herein, for violating a Code of Conduct issued to participants in the activity by the activity supervisor or for fighting at games. Please refer to the Athletic Code of Conduct for sport suspensions/removal. In addition, administration may revoke any school-related field trips, activities or events from a student who is in violation of the student Code of Conduct. Upon the request of the student's parent/guardian, the Building Principal shall allow the parent/guardian or other representative of the student the right to appear before him/her informally, to discuss the conduct which led to suspension from the activity.

If a student is suspended from school pursuant to §3214 of the Education Law, **s/he shall not be permitted to participate in any extra-curricular or co-curricular activities, as well as any other school events or activities which take place on the days of suspension** (including intervening weekends). This may have an impact on the student's participation in graduation ceremonies and other school-sponsored activities such as the senior trip and prom.

P. GENERAL RULES REGARDING PUBLIC CONDUCT ON SCHOOL PROPERTY

The Board of Education recognizes that the primary purpose of the School District is to provide a superior atmosphere for learning and education. Any action by an individual or group(s) aimed at disrupting, interfering with, or delaying the education process or having such effect, is prohibited. The Board also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction. The Board will also seek restitution from, and prosecution of, any person or persons who willfully damage school property.

These rules govern the conduct of students, parents/guardians, faculty and other staff, other visitors, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property (including school buses) under the control of the District and used in its instructional programs, administrative, cultural, recreational, athletic, and other programs and activities, whether or not conducted on school premises.

PROHIBITED CONDUCT:

No person, either singly or in concert with others, shall:

- willfully cause physical injury to any other person, or threaten to do so, for the purpose of compelling or inducing such other person to refrain from any act which s/he has a lawful right to do, or to do any act which s/he has a lawful right not to do;
- intimidate, harass, bully, cyberbully or discriminate against any person on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, age, marital status, sexual orientation, or disability;
- physically restrain or detain any other person, or remove such person from any place where s/he is authorized to remain unless physical harm is imminent to one-self or others, in which case physical restraint may be used to the extent that it is reasonable and necessary under the circumstances as well as proportional to the anticipated harm;
- willfully damage or destroy property of the District or under its jurisdiction, or remove or use such property without authorization;

- without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member;
- enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others;
- without authorization, remain in any building or facility after it is normally closed;
- refuse to leave any building or facility after being required to do so by an authorized administrative officer, member of the faculty or staff member, or member of the Board of Education;
- obstruct the free movement of persons and vehicles in any place to which these rules apply;
- deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures, and meetings or deliberately interfere with the freedom of any person to express his/her views, including invited speakers;
- knowingly have in his/her possession one or more weapons except for possession in a classroom or laboratory as part of an approved instructional program or in a school-related activity under the supervision of a teacher or other school personnel as authorized by school officials. Possession includes bringing a weapon to or possessing a weapon at school or a school function; and/or
- smoking, vaping or using an e-cigarette of any kind and other tobacco use is prohibited on any Highland Central School District grounds and within 100 feet of the entrances, exits or outdoor areas of any elementary or secondary school and at school functions.
- willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.

PENALTIES AND PROCEDURES

A person who shall violate any of the provisions of these rules shall be subject to the following penalties and procedures:

- If a licensee or invitee, his/her authorization to remain upon the grounds or other property shall be withdrawn and s/he shall be directed to leave the premises. In the event of failure to do so, s/he shall be subject to ejection and/or arrest.
- If trespasser or visitor without specific license or invitation, s/he shall be subject to ejection and/or arrest.
- If s/he is a student, s/he shall be subject to disciplinary action as the facts of the case may warrant, as prescribed by §3214 of the Education Law and the Student Code of Conduct.
- If a faculty member, s/he shall be subject to disciplinary action as prescribed by and in accordance with procedures of the Education Law and the collectively negotiated agreement.
- If a staff member in the classified service of the civil service, described in §75 of the Civil Service Law, s/he shall be guilty of misconduct and subject to the penalties and procedures prescribed in said section and any collectively negotiated agreement and be subject to ejection.
- If a staff member other than one described above, s/he shall be subject to discipline in accordance with law and any applicable collectively negotiated agreement.

ENFORCEMENT PROGRAM

The Superintendent of Schools or designee shall be responsible for the enforcement of these rules, and s/he shall designate the other personnel who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.

In the case of any apparent violation of these rules by such persons, which, in the judgment of the Superintendent or his/her designee, does not pose any immediate threat of injury to person or property, such officer may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for resolution of any issues which may be presented. In doing so such officer shall warn such persons of the consequences for persistence in the prohibited conduct, including their ejection from any district properties where their continued presence and conduct is in violation of these rules.

In any case where violation of these rules does not cease after such warning and in other cases of willful violation of such rules, the Superintendent or his/her designee shall cause the ejection of the violator from any premises, which s/he occupies in such violation and shall initiate disciplinary action hereinbefore provided.

The Superintendent or his/her designee may apply to the public authorities for any aid which s/he deems necessary in causing the ejection of any violator of these rules and s/he may request the Board's Counsel to apply to any court of appropriate jurisdiction for any injunction to restrain the violation or threatened violation of such rules.

This Code of Conduct and the penalties set forth herein are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of a fine or penalty provided for therein.

Q. VISITOR PROCEDURES

In an effort to maintain a safe and healthy educational environment, all visitors to the District are required to report to the designated area in each building and sign in. The designated sign-in area will be directed by postings that are highly visible in all buildings. Visitors are expected to conduct themselves in a manner that does not disrupt the academic process and is in accordance with the law and this Code of Conduct.

Visitor Guidelines (*during school hours*)

a. Have photo identification available upon entering the building
b. All visitors are required to **sign-in** upon entering any of our school buildings
c. Provide identification and valid purpose for your visit and receive and wear a "visitor's pass"
d. Staff are taught to stop and ask you for identification if they do not see your visitor's pass
e. Visitors may not independently travel around the building or to their child's classroom without permission
f. After you have completed your business in the building, sign-out and return your visitor's pass
g. Visitors must park in designated Visitor Parking Areas.

R. ORDERS OF PROTECTION

In the event that any school receives an Order of Protection issued by a court of competent jurisdiction requiring that any student or District personnel be afforded protection from another student/staff member, the District reserves the right to act, in its exclusive discretion, to fulfill the court's mandate, including reservation of the right to transfer that student to another program or the employee to another location; the right to notify the building administrators of the Order of Protection; the right to rearrange a student's schedule to facilitate the order; and the right to call upon law enforcement officials for assistance when building or District administrators deem such intervention to be needed. An Order of Protection in favor of a student or District personnel against any person other than another student will be enforced by referral to law enforcement officials.

S. TERMINOLOGY USED IN REPORTING VIOLENT AND DISRUPTIVE INCIDENTS TO NEW YORK STATE EDUCATION DEPARTMENT

(For More info on School Safety)

Please click here for a full Glossary of Terms Used in the Annual Reporting of Incidents Concerning School Safety and Educational Climate (SSEC): http://www.p12.nysed.gov/sss/ssae/schoolsafety/vadir/glossary201718.html

The 2026-2027 Code of Conduct was approved by the Highland Board of Education on July 2, 2026.