NIAGARA FALLS CITY SCHOOL DISTRICT

CODE OF CONDUCT

2026-2027

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Superintendent of Schools

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I. PREFACE

The Board of Education is committed to providing a safe, orderly, and supportive environment in which every student can study, learn, and grow to the best of his or her ability. The Board recognizes the right of all students to receive, and all staff to deliver, high-quality educational services in an atmosphere conducive to learning. Pursuant to New York State Education Law, teachers and administrators are authorized to maintain discipline in support of the educational process.

The Niagara Falls City School District has long-standing expectations for conduct on school property and at school functions based on principles of civility, mutual respect, citizenship, character, tolerance, cooperation, honesty, and integrity. The purpose of this Code of Conduct is to clearly define acceptable behavior and establish standards of responsibility so that students, parents, staff, and community members understand expectations and know that violations will be addressed promptly and fairly.

The District believes that sound discipline respects both individual rights and the rights of the broader school community. Discipline should recognize the inherent dignity of every person and focus on helping students replace unacceptable behavior with appropriate conduct, consistent with principles of justice and equality.

Unless otherwise stated, this Code applies to all students, school personnel, parents, and visitors while on school property or participating in school functions.

This Code of Conduct shall be reviewed annually by a designated committee.

II. DEFINITIONS

The following definitions will apply throughout this Code of Conduct:

Parent - Shall refer to the biological, adoptive or foster parent, legal guardian or person in parental relation to a student.

Internet-enabled devices - Internet-enabled devices means and includes any smartphone, tablet, wearable technology (ie: smartwatch, wireless earbuds) or other device capable of connecting to the Internet and enabling the user to access content on the Internet, including social media applications.

School Day - Shall mean the entirety of every instructional day as required by subdivision 7 of the Education Law Section 3604 during all instructional time and non-instructional time, including but not limited to homeroom periods, lunch, recess, study halls, and passing time.

School Grounds - Shall mean in or on or within any building, structure, athletic playing field, playground, or land contained within the real property boundary line of a district elementary, intermediate, junior high, vocational, or high school, a charter school, or a BOCES facility.

School Property - Shall mean in or within any buildings, structure, classrooms, storage places, lockers, locker rooms, playgrounds, athletic fields, parking lots, and any other locations or land contained within the real property boundary line of a public elementary or secondary school; personal property owned by the School District; **or Orleans Niagara BOCES** or in/on a school bus as defined in section 142 of the Vehicle and Traffic Law.

School Function - Shall mean a school sponsored extra-curricular event and/or any other school sponsored activity.

School Bus - Shall mean every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the

transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

Disability - Shall mean (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment.

Employee - Shall mean any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school.

Sexual Orientation - Shall mean actual or perceived heterosexuality, homosexuality, or bisexuality.

Gender - Shall mean actual or perceived sex and includes a person's gender identity or expression.

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

Weapon - Shall mean Firearms (as defined in section 921 of Title 18 of the United States Code) - any weapon 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 weapon; any firearm muffler or silencer; or any destructive device (excluding antique firearms). It shall also include, but not be limited to: any other gun, pistol revolver, shotgun, rifle, machine gun, antique firearm, pellet gun, air gun, BB gun, electronic dart gun, electronic stun gun (taser), paint gun, flare gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, box cutter, metal knuckle knife, cane sword, other knives of any shape size or make, brass knuckles **or other similar hand-held weapons**, sling shots kung fu star, mace, pepper spray or other noxious spray, explosive or other incendiary devices, clubs, bats, metal pipes, chains, laser pointers or any other device, instrument material or substance that can cause serious physical injury or death when used as a weapon.

Disruptive Student - Shall mean a student under the age of 21 or a student over 21 who is currently completing requirements to obtain a high school diploma who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

Violent Student - Shall mean a student under the age of 21 or a student over 21 who is currently completing requirements to obtain a high school diploma who:

1. Commits an act of violence upon a teacher, administrator or other school employee
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function;
3. Possesses, while on School District property, or at a school district function, a weapon as defined in this code of conduct;
4. Displays while on School District property, or at a school function, what appears to be a weapon as defined in this Code of Conduct.
5. Threatens while on School District property, or at a School District function, to use a weapon as defined in this code of conduct or any instrument that appears capable of causing physical injury or death.
6. Knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other school district employee or any person lawfully upon School District property or attending a School District function;
7. Knowingly and intentionally damages or destroys School District property.

III. STUDENT RIGHTS AND RESPONSIBILITIES

All students possess the rights of citizenship guaranteed by the Constitution of the United States and the State of New York. With these rights comes the responsibility to respect the law and the rights of others. Students are responsible for the manner in which they exercise their rights and must accept the consequences of their actions. The preservation of individual rights depends on mutual respect and responsibility within the school community.

A democratic school environment requires cooperation among students, staff, and parents to ensure that education provides equal opportunities for students to develop ethically, intellectually, creatively, emotionally, socially, and physically. Accordingly, self-discipline and personal responsibility shall be emphasized throughout students' school experience.

A. Student Rights

All District students have the right to:

1. A safe, healthy, orderly, civil, and positive learning environment.
2. Freedom of speech, publication, and peaceful assembly, provided such expression does not disrupt the educational process, infringe on the rights of others, or violate the District's Acceptable Use Policy.
3. Equal access to all District programs and activities regardless of race, color, weight, national origin, ethnic group, religion, religious practice, disability, or gender (including gender identity and expression).
4. Access to written school rules and explanations of those rules when needed.
5. Due process, including notification of pending disciplinary action and an opportunity for students and parents to present their version of events before the imposition of disciplinary consequences.

B. Student Responsibilities

All District students have the responsibility to:

1. Accept responsibility for their actions and contribute to a safe, orderly, respectful, and positive school environment.
2. Respect the rights of others, including the right to learn in a disciplined setting.
3. Be familiar with and comply with District policies, rules, and regulations governing student conduct.
4. Attend school regularly unless legally excused; arrive on time, prepared, and ready to learn.
5. Make a consistent effort to perform to the best of their ability in academic and extracurricular activities.
6. Respond respectfully to directions from teachers, administrators, and other school personnel, recognizing that school authority extends to school functions and travel to and from school.
7. Use appropriate strategies, with staff support, to manage emotions, resolve conflicts, ask questions, and seek help before problems result in disciplinary action.
8. Dress appropriately, maintain personal cleanliness, and represent the District with dignity, good conduct, and sportsmanship at all school functions.
9. Work with the school to recognize, prevent, and eliminate harassment and discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression), and promptly report incidents to school staff.

IV. ROLES OF ESSENTIAL PARTNERS

Maintaining a safe, orderly, respectful, and supportive learning environment is the shared responsibility of the entire school community, including students, parents/guardians, staff, administrators, the Superintendent, and the Board of Education. All partners are expected to review and support District policies and work collaboratively to implement the Niagara Falls City School District Code of Conduct.

A. Parents/Guardians and Community Members

Parents/guardians play a critical role in student success and are expected to:

- Model respectful, professional behavior.

- Comply with Education Law prohibiting the possession or use of tobacco or tobacco products on school grounds.
- Comply with Education Law prohibiting the possession or use of tobacco products on school grounds.
- Recognize, prevent, and eliminate harassment and discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
- Support a safe, inclusive, and positive learning environment.
- Promote positive attitudes toward school, education, and respectful behavior.
- Maintain open communication with school staff, ensure timely receipt of school communications, and inform the school of home circumstances affecting student conduct or performance.
- Ensure regular attendance, punctual arrival and dismissal, and submission of written excuses for absences or tardiness.
- Teach and model respect for self, others, property, and the law; set realistic behavior expectations; and help children manage peer pressure.
- Provide appropriate supervision, health care, grooming, dress, and a home environment conducive to study and homework completion.
- Cooperate with school personnel and community agencies to resolve concerns, follow District rules, and address harassment or discrimination by reporting incidents promptly.

B. Teachers

Teachers are responsible for fostering learning and positive behavior and are expected to:

- Model respectful, professional behavior.
- Comply with Education Law prohibiting the possession or use of tobacco products on school grounds.
- Recognize, prevent, and eliminate harassment and discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
- Support a safe, inclusive, and positive learning environment.
- Creating a respectful, supportive classroom climate that promotes student dignity and growth.
- Planning and delivering engaging instruction while guiding students toward their full potential.
- Maintaining open communication with parents and collaborating for student success.
- Addressing minor misconduct appropriately, referring serious or safety-related concerns to administrators, and applying discipline fairly and individually.
- Supporting students in coping with peer pressure, behavioral challenges, and problem-solving.
- Supervising students as assigned and participating in school rule development.
- Modeling professional conduct and supporting efforts to eliminate harassment and discrimination.

C. School Counselors, Psychologists, and Social Workers

Student support staff are expected to:

- Model respectful, professional behavior.
- Comply with Education Law prohibiting the possession or use of tobacco products on school grounds.
- Recognize, prevent, and eliminate harassment and discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
- Support a safe, inclusive, and positive learning environment.
- Provide counseling and guidance to help students understand and resolve academic, social, and emotional concerns.
- Collaborate with students, parents, teachers, administrators, and outside agencies to support student needs.
- Adjust schedules and assist with interventions as directed by administration.
- Support student interests, positive behavior, and compliance with school rules.
- Address harassment and discrimination through counseling, intervention, and education.

D. School Administrators

Administrators are expected to:

- Model respectful, professional behavior.
- Comply with Education Law prohibiting the possession or use of tobacco products on school grounds.
- Recognize, prevent, and eliminate harassment and discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
- Support a safe, inclusive, and positive learning environment.
- Establishing and maintaining a safe, respectful, and orderly school climate.
- Overseeing instruction, discipline, building security, and fair enforcement of District policies.
- Supporting staff, resolving disciplinary matters promptly, and ensuring compliance with state laws and student rights.
- Encouraging open communication with students, parents, and staff, and addressing grievances appropriately.
- Providing staff development opportunities and ensuring continuity of leadership.
- Serving as or designating the Dignity for All Students Act (DASA) Coordinator and investigating reported incidents of harassment or discrimination.

E. Superintendent

The Superintendent is responsible for District-wide leadership and is expected to:

- Model respectful, professional behavior.
- Comply with Education Law prohibiting the possession or use of tobacco products on school grounds.
- Recognize, prevent, and eliminate harassment and discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
- Support a safe, inclusive, and positive learning environment.
- Developing, implementing, and enforcing student rules and the Code of Conduct.
- Supporting administrators in disciplinary matters and acting on suspension recommendations in accordance with Board policy.
- Collaborating with schools, families, community agencies, and law enforcement.
- Advising the Board on discipline trends and promoting programs that reduce misconduct.
- Supporting alternatives to suspension and ensuring fair, consistent resolution of disciplinary cases.
- Modeling professional conduct and supporting efforts to eliminate harassment and discrimination.

F. Board of Education

The Board of Education provides governance and oversight and is expected to:

- Model respectful, professional behavior.
- Comply with Education Law prohibiting the possession or use of tobacco products on school grounds.
- Recognize, prevent, and eliminate harassment and discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
- Support a safe, inclusive, and positive learning environment.
- Adopting, supporting, and annually reviewing the District Code of Conduct.
- Ensuring fair grievance procedures and compliance with legal requirements.
- Providing adequate staffing, facilities, and professional development.
- Collaborating with students, parents, staff, and community partners.
- Promoting equity, respect, and the elimination of harassment and discrimination throughout the District.

V. STUDENT APPEARANCE CODE

The Niagara Falls School Community believes that student appearance should be appropriate at all times for school and school functions. A student's dress and appearance are the shared responsibility of the student and their parents or guardians. Clothing and appearance must be clean, neat, non-distracting, and must not present a safety or health risk. All District personnel shall model and reinforce appropriate appearance and help students understand acceptable standards in the school setting.

Consequences: See Appendix I, page 31.

The following minimum standards shall be enforced:

1. **Headwear and Identification:** Headgear or facial coverings, including ski masks or balaclavas, may not be worn in school buildings or classrooms except for documented medical or religious reasons. Hoods must remain down during the school day, and students must be visibly recognizable. Blankets may not be worn as outer clothing.

2. **Footwear:** Footwear must be worn at all times. Footwear that poses a safety hazard is prohibited.

3. **Coverage and Fit of Clothing:** All clothing must be worn and fastened appropriately. Undergarments must be completely covered by outer clothing. Apparel must fully cover the shoulders, back, chest, stomach, and lower torso, except for the arms and a modest neckline opening, and may not be transparent. Extremely brief or revealing garments, including tube tops, net tops, halter tops, spaghetti straps, plunging necklines, and similar styles, are not permitted. Shorts, pants, and skirts must extend to at least mid-thigh when the student is standing.

4. **Layered Clothing and Jerseys:** All layers of clothing must independently comply with the Student Appearance Code. Sleeveless team jerseys may only be worn over a tee-shirt with sleeves.

5. **Prohibited Messages, Images, and Symbols:** Clothing or accessories advertising or depicting alcoholic beverages, tobacco, drugs, marijuana, or containing abusive, suggestive, vulgar, obscene, libelous, discriminatory, controversial, or gang-related messages, symbols, or colors are prohibited. This includes messages that denigrate individuals or groups based on race, color, religion, ancestry, national origin, sex, sexual orientation, or disability.

6. **Bandanas:** Bandanas may not be worn or displayed on any part of the body, attached to clothing, or displayed on personal belongings.

7. **Storage of Personal Items:** During the school day, winter coats, winter jackets, winter scarves, hats, scarves, backpacks, gym bags, and athletic equipment must be stored as directed. At the discretion of school administrators, students may be permitted to carry clear single-pocket and/or mesh bags. Purses must be no larger than 8 inches by 11 inches.

8. **Administrative Discretion:** Any mode of dress or personal appearance not specifically addressed above may be prohibited at the discretion of the building principal if deemed dangerous, disruptive, distracting, or detrimental to the educational environment.

Each principal is responsible for informing students and parents of the Student Appearance Code at the start of each school year and of any revisions made during the year.

Students who violate the Student Appearance Code shall be required to modify their appearance by covering or removing the non-compliant item. If a student is unable to do so, they may be retained until the end of the school day or until a parent or designee provides appropriate clothing.

Students who refuse to comply shall be subject to disciplinary action, up to and including placement in an independent study room for the day. Repeated violations may result in further discipline, up to and including out-of-school suspension.

VI. CELL PHONES AND OTHER INTERNET-ENABLED DEVICES

The District consulted with local stakeholders including employee organizations representing each bargaining unit, parents, and students to develop this policy to prohibit the use of Internet-enabled devices by students during the school day on school grounds. This policy aims to ensure that students remain focused on their academic responsibilities throughout the school day, which includes all instructional and non-instructional periods such as homeroom, lunch, recess, study halls, and passing time.

This summary outlines the key provisions of the District's Internet-Enabled Device Policy (7316); individuals should reference the full policy (included in the appendix) for complete details and requirements.

A. Included Devices

Internet-enabled devices include: Smartphones, tablets, smartwatches, wireless earbuds, and/or any device capable of Internet or social media access

Not included: Basic phones or devices without Internet capability and/or district-issued devices used for educational purposes

B. When Students May Use Devices

Device use is not permitted during the school day except for the following situations:

- Authorized for an educational activity
- Required for a student's health care
- Needed during an emergency
- Used for translation
- Approved for a student caregiver with family responsibilities
- Required by law
- Listed in a student's IEP or 504 Plan

C. Where Devices Must Be Stored

Pre-K–Grade 6:

- Lockers, cubbies, classroom storage bins, and/or main office secure storage

Grades 7–12

- Devices must be placed in a secure, sealable storage bag.
- Bags may be stored in lockers or carried (sealed) throughout the day.
- Large devices or wearables that do not fit must be stored in lockers or another secure area.
- Bags may not be opened during the school day without an approved exception.

D. Progressive Discipline for Unauthorized Device Use

The District cannot suspend a student solely for violating this policy. The following steps apply:

1. **First Infraction:**
   - Warning
   - Student receives a copy of the policy
2. **Second Infraction:**
   - Device confiscated for the day
   - Parent/guardian notified
3. **Third Infraction:**
   - Device held until parent/guardian retrieval
   - Parent notified
4. **Fourth Infraction:**
   - Student may not bring device to school
   - If brought, the device is held until the **end of the school year**
   - Return determined case-by-case by the Superintendent/designee

VII. PROHIBITED STUDENT CONDUCT

The Board of Education expects all students to conduct themselves in a civil and respectful manner, with due regard for the rights and welfare of other students, District personnel, and members of the school community, as well as for the proper care of school facilities and equipment.

The Code of Conduct and Board policies on discipline are based on the principle that appropriate behavior is the goal for every student and that effective discipline promotes self-control, responsibility, and accountability. While self-discipline is encouraged, the Board recognizes that when corrective measures are ineffective, suspension from school for varying lengths of time may be necessary and in the student's best interest.

The authority of the Board of Education to establish rules of conduct and to impose student suspensions is granted under Section 3214 of the New York State Education Law and Board Policy JDD. Suspension may be imposed after reasonable efforts to correct behavior have been attempted and when school personnel determine that removal is necessary to protect the student or others or to maintain the orderly operation of the school.

To ensure clarity and consistency, the Board establishes specific categories of misconduct that may result in disciplinary action, up to and including suspension, when such conduct occurs on school property or at school functions. These categories, which include disorderly conduct, insubordination, disruptive conduct, violent conduct, and endangerment, describe common examples of prohibited behavior. Students who violate these rules and fail to accept responsibility for their actions will be subject to appropriate disciplinary consequences.

The examples of prohibited conduct are not intended to be exhaustive and do not limit the authority of school officials to address other behavior that interferes with the orderly operation of the school or the educational process.

LOCAL OFFENSES

A. Academic Misconduct

It is crucial for students to behave appropriately during academic activities. Examples of academic misconduct may include:

1. Plagiarism.
2. Cheating.
3. Copying
4. Altering records.
5. Assisting another student in any of the above actions.
6. Violating Computer Acceptable Use Agreement and/or other misuse/abuse of computer privileges including the Laptop Distribution Policy.
7. The misuse of artificial intelligence (AI), including representing AI-generated work as original student work or using AI in violation of assignment expectations or the District's AI Policy

B. Acceptable Use of Computerized Resources

Students will be offered the opportunity to work on many different forms of technology in school Therefore they will be responsible for proper behavior and etiquette while doing so. Some examples of inappropriate behavior while using district technology are:

1. Illegal or Destructive Activities
2. System Security Violations
3. Inappropriate Conduct
4. Plagiarism and Copyright Infringement
5. Inappropriate Access to Material

**These offenses are outlined more clearly in the District's Acceptable Use Policy*

C. Truancy

1. Truancy is the unauthorized absence from, or tardiness to, school or assigned classes without the knowledge or approval of the parent or guardian, or if the absence or tardiness is contrary to Board attendance policies (i.e., babysitting or vacation on school days). If the student is under the age of sixteen (16) or turns sixteen (16) after July 1 of the school year, truancy is a violation of the Compulsory School Attendance Law. All students sixteen (16) years of age and over are subject to the attendance procedures and policies of the school they are attending.
2. The team responsible for student attendance at each school will review habitual violations and enact interventions that may include home visits, referral to Pride program, and possible referral to the Family Court Intake Division for Supervision by filing a PINS petition (Person in Need of Supervision).
3. *A summary of the District's Attendance Policy can be found in Appendix VI (page 39).*

D. Bus Conduct

The Niagara Falls City School District will provide transportation for eligible bus students only. It is crucial for students to behave appropriately while riding on District buses to ensure their safety and that of other passengers, and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Entering and exiting the bus without permission, excessive noise, pushing, shoving and fighting will not be tolerated. Students waiting for buses when not on school property are expected to conduct themselves in accordance with the District's Code of Conduct.

Students are the responsibility of the District while they are on the school bus. Since the school bus is an extension of the classroom, the Board of Education shall require students to conduct themselves on the bus in a manner consistent with established standards for classroom behavior, and shall, therefore, approve rules and regulations regarding school bus transportation (Board Policy JCDAD). School bus regulations shall be enforced by bus drivers, bus associates, and the Student Services Office in coordination with the school principal. Students who become serious disciplinary problems may have their riding privileges suspended or revoked. In such cases, the parents of the children shall be duly notified and will become responsible for the transportation of their children to and from school (Board Policy JCDAD).

E. Insubordination/Disruptive Conduct

1. Failing to comply with the reasonable/lawful directions of teachers, school administrators, or other school employees in charge of students or otherwise demonstrating disrespect which may be reported by students and/or staff.
2. Tardiness or missing or leaving school property without permission. (See Section E).
3. Lying to school personnel.
4. Causing a disruption to the atmosphere of order and discipline in the school that is necessary for enforcing an orderly environment.

F. Disorderly Conduct

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar, or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act that disrupts the normal operation of the school community.
6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building. Accessing unauthorized areas of an assigned school (e.g., elevator, unsupervised location) is also trespassing. After school hours, students are not permitted in any school building without permission from the administrator in charge of the building.
7. Using recording devices (including but not limited to cell phone cameras or iPods) to record incidents or individuals while anywhere in the school building or on school grounds without authorization is prohibited. Students must follow policy for use of internet-enabled devices during the school day.

G. Endangerment

1. Stealing the property of other students, school personnel, or any other person lawfully on school property or attending a school function.
2. Acts of sexual harassment or misconduct as defined in the District's sexual harassment policy.
3. Selling, using, or possessing obscene material.
4. Possessing and/or smoking/using any tobacco or tobacco substitute product including but not limited to tobacco cigarettes, cigars, pipes, chewing or spit tobacco, e-cigarettes, vapors, and any other product containing nicotine or a nicotine substitute in any form.
5. Inappropriately possessing, using, or sharing prescription and over-the-counter drugs.
6. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation, or disability as a basis for treating another in a negative manner.
7. Defamation, which includes making false or unprivileged statements or representations about a teacher, an individual, or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
8. Intimidation, which includes engaging in actions or statements that put an individual in fear of harm through any means including the use of technology such as computers and cellular telephones (cyberbullying). See also section on Cyberbullying.
9. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with, or maintaining membership in any school-sponsored activity, organization, club, or team.
10. Gambling, exclusive of authorized fundraisers. This includes dice, cards, and online gambling during school hours.
11. Gang activity. A gang is an organized group of some duration, sometimes characterized by turf concerns, symbols, special dress, and colors. An incident is gang-related if it is gang-motivated, if gang membership caused the incident or was a contributing factor.
12. Indecent exposure, exposure to sight of the private parts of the body or undergarments in a lewd or indecent manner including the transmission or possession of sexually explicit messages/pictures through the use of technology such as computers, smart watches, and cellular telephones.
13. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
14. Arson and/or any incident of igniting material or involving the possession of igniting material with the purpose of starting a fire through the utilization of lighters, matches, or other materials.
15. All interscholastic athletic equipment deemed inappropriate (baseball bats, lacrosse sticks, hockey sticks) should be stored in a secure location upon entering the building. At dismissal, a designated staff member will return athletic equipment.
16. Students cannot sell items or goods outside of authorized school fundraisers.

H. Violence

1. Committing an act of violence (such as pushing, shoving, hitting, kicking, punching, and scratching) upon a teacher, administrator, or other school employee.
2. Committing an act of violence (such as pushing, shoving, hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function. "Weapon" means a gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, any type of ammunition, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, metal knuckle knife, box cutters, cane sword, electronic dart gun, martial arts star, electronic stun gun (taser), pepper spray or other noxious sprays, laser pointer, explosive or incendiary bomb, or other dangerous instrument that can cause physical injury or death.
4. Threatening to use any weapon.
5. Intentionally damaging or destroying the personal property of a teacher, administrator, other District employee, other student, or any person lawfully on school property, including graffiti or arson.
6. Intentionally damaging or destroying school district property including but not limited to littering and other acts of vandalism.
7. Committing a reckless act, including but not limited to, throwing objects, pushing, shoving, or contributing or creating an unsafe condition, which can result in injury to a student(s) or staff member(s).

I. Sexual Conduct / Harassment / Misconduct

1. Conduct of a Sexual Nature

Conduct of a sexual nature includes, but is not limited to:

- Verbal or physical sexual advances or pressure for sexual activity.
- Touching, pinching, patting, or brushing against someone.
- Comments about physical or personality characteristics of a sexual nature.
- Sexually oriented joking, teasing, or similar conduct that would not occur but for the person's sex.

2. Unwelcome Conduct of a Sexual Nature

(a) Conduct of a sexual nature may constitute sexual misconduct when the individual involved indicates—through words or behavior—that it is unwelcome.

(b) If the individual initially welcomed such behavior, they must clearly inform the other person that it is no longer welcome for subsequent conduct to be considered unwelcome.

(c) Any sexual conduct directed toward students by teachers or other covered individuals is presumed unwelcome.

3. Sexual Abuse

Sexual abuse occurs when a person subjects another person to sexual contact without consent.

"Sexual contact" includes touching intimate parts of another person (or causing the other person to touch the actor), directly or through clothing, for sexual gratification. This does not apply when the individuals are married to each other.

4. Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other sexual conduct constitute sexual harassment when:

1. Submission is made a condition of employment, grades, or student achievement (explicit or implicit).
2. Submission or rejection is used as the basis for decisions affecting the individual.
3. The conduct substantially interferes with performance or creates an intimidating, hostile, or offensive environment.

The Board condemns all unwelcome sexual conduct designed to obtain sexual favors or that creates a hostile environment.

Examples include, but are not limited to:

- Sexual name-calling or verbal comments.
- Pressuring for sexual activity or favors.
- Obscene or sexually suggestive gestures or movements.
- Unwelcome touching, pulling on clothing, or brushing against someone.
- Displaying sexually explicit materials, photos, posters, or cartoons.
- Demanding or suggesting sexual involvement accompanied by implied or explicit threats (e.g., grade or employment consequences).

Reporting:

Reports should follow this chain:

- Students → teacher/counselor/social worker/administrator
- Teachers → administrator/Superintendent
- Administrators → Superintendent
- *If the alleged harasser is a person of higher authority, reports go directly to the Superintendent.*

Reports are confidential. Filing a complaint will not affect employment, assignments, or grades. Procedures are the same when the complainant is a student.

5. Sexual Misconduct

The Board prohibits discrimination based on sex and does not tolerate sexual misconduct by employees, students, volunteers, or anyone under school authority.

Administrators and Supervisors

(a) It is sexual misconduct for administrators or supervisors to use their authority to solicit sexual favors or attention when refusal may result in negative treatment or compliance may result in preferential treatment.

(b) Administrators who engage in or tolerate sexual misconduct are subject to disciplinary sanctions.

Non-managerial and Non-supervisory Employees

(a) It is sexual misconduct for any employee to subject another employee to unwelcome sexual conduct. Such employees are subject to disciplinary sanctions.

Employees (General)

(a) Employees may not subject students or coworkers to conduct of a sexual nature. Violations result in disciplinary sanctions.

Students

(a) Students may not subject other students or employees to sexual conduct and are subject to disciplinary action.

(b) Sexual misconduct education will be included in the student handbook, orientation, and health curriculum.

(c) Complaints may be filed without fear of retaliation. Any retaliation must be reported and will be addressed to the fullest extent of law and disciplinary procedures.

<u>STATE REPORTABLE OFFENSES</u> - May carry more serious consequences

J. Possession/Use/Abuse of Alcohol and/or Other Substances By Students

The Niagara Falls School District has adopted a policy (Board Policy JCDABR) concerning the use/abuse of alcohol and other substances for students. The intent of the policy is to prevent or delay the onset of alcohol, tobacco, and other substance use by students. An ongoing staff development component will ensure policy implementation. The Niagara Falls School District is also committed to achieving a drug-free work and learning environment as stated in Board Policies.

1. The Board of Education of the Niagara Falls City School District is committed to the prevention of alcohol, tobacco, vapes, and other substance use/abuse.
2. No student may use, possess, sell, or distribute alcohol or other substances, nor may use or possess drug paraphernalia on school grounds or at school-sponsored events, except drugs as prescribed by a physician. The terms "alcohol and other substances" shall refer to the use of all substances including, but not limited to, alcohol, tobacco, inhalants, vapes, edibles, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alikes, and any of those substances commonly referred to as "designer drugs." The inappropriate use or possession of prescription and over-the-counter drugs shall also be prohibited, and/or any other legal substances intended for un-prescribed use/abuse, including synthetic cannabinoid products labeled as incense, herbal mixtures, or potpourri.
3. The School District will provide a program of prevention and intervention designed to eliminate any existing use/abuse of alcohol and other substances, and provide supportive services to all students.

K. Threats/False Alarms

1. Threat of School Violence: (Other than Bomb Threat or False Alarm): a verbal, telephoned, written or electronic message of a threat of violence on school property or at a school related function.

2. **False Alarm:** Causing a fire alarm or other disaster alarm to be activated knowing there is no danger, or through false reporting of a fire or disaster.
3. **Bomb Threat:** A telephoned, written or electronic message that a bomb, explosive, or chemical or biological weapon has been or will be placed on school property.

L. DASA/Bullying/Cyberbullying

A single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, and/or discrimination by a student and/or employee on school property or at a school function.

1. Bullying

Definition

Bullying may be a single act or repeated acts of aggressive behavior by one or more students in order to intentionally hurt another person, physically or emotionally.

Characteristics

Characteristics of bullying may include but are not limited to:

- Intentional harm-doing
- Repeated over time
- A relationship in which there is an imbalance of power or a perceived imbalance of power

Possible Examples

Direct Bullying:

- Hitting, kicking, shoving, spitting
- Taunting, teasing, racial slurs, verbal harassment
- Threatening physical harm, obscene gestures

Indirect Bullying:

- Spreading rumors
- Defamation of character
- Cyberbullying

The examples above are not meant to be a conclusive list.

The Niagara Falls Board of Education is committed to provide a school environment free of discrimination and harassment. Alleged incidents involving possible student bullying are to be reported to those in charge, such as teachers or administrators.

2. Cyberbullying

Definition

Cyberbullying is willful harm inflicted either as a single act or repeated acts through the use of computers, cell phones, and other electronic devices.

Forms Of Cyberbullying

Possible forms of Cyberbullying include:

- Emails, Chats (District Messaging) or Instant Messages at a specific person
- Social Media platforms
- Cell phones/text messages

Intervention

The Niagara Falls Board of Education is committed to provide a school environment free of discrimination and harassment. Alleged incidents involving possible cyberbullying are to be reported to any staff members.

The Commissioner of Education has held that a school district can discipline a student for off-campus

conduct that “adversely affects the educative process or endangers the health, safety or morals of students.” A local law entitled “Prohibiting Cyberbullying in Niagara County” was enacted by the Niagara County Legislature to ban cyberbullying in Niagara County.

School officials can generally intervene/discipline if conduct/speech:

- Substantially or materially disrupts learning
- Interferes with the educational process or school discipline
- Utilizes school technology to harass
- Threatens other students or infringes on their civil rights

3. Dignity for All Students Act (DASA)

The Niagara Falls Board of Education prohibits harassment and discrimination against any student, whether by students or employees on school property or at a school function. This is in accordance with the Dignity for All Students Act (DASA).

No student shall be subjected to harassment by employees or students on school property or at a school function; nor shall any student be subjected to discrimination based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by students or school employees on school property or at a school function.

Definitions, Reporting/Investigations, Actions, and Resources can be found in Appendix III (page 35)

M. Weapons Possession/Use

1. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function. "Weapon" means a gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, any type of ammunition, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, metal knuckle knife, box cutters, cane sword, electronic dart gun, martial arts star, electronic stun gun (taser), pepper spray or other noxious sprays, laser pointer, explosive or incendiary bomb, or other dangerous instrument that can cause physical injury or death.

2. Possessing and/or displaying what appears to be a weapon.

N. Assault, Sexual Offenses, or More Serious Offenses

1. These are offenses that rise to the Level of a Felony as defined by the State of New York.
2. As defined by the NYSED, SSED State reporting system.

VIII. REPORTING VIOLATIONS

All students are expected to promptly report any violations of the Code of Conduct (including but not limited to another student in possession of a weapon, alcohol, or an illegal substance on school property or at a school function) to a teacher, school counselor, social worker, dean, the principal, or the principal's designee.

All District staff who are authorized to impose disciplinary sanctions must do so promptly, fairly, and lawfully. Staff who are not authorized to impose sanctions must promptly report Code of Conduct violations to their supervisor. The supervisor will either impose appropriate disciplinary action, if permitted, or refer the matter to an authorized staff member.

Any weapons, alcohol, or illegal substances found shall be confiscated immediately. Parents of the student involved shall be notified, and appropriate disciplinary action will follow, up to and including permanent suspension and referral to police authorities for prosecution.

The building principal or designee must notify the appropriate law enforcement agency, as soon as practical and no later than the close of business on the day they learn of the violation, whenever the conduct constitutes a crime that substantially affects school order or security. Notification may be made by telephone and must be followed by a written letter sent the same day. The notification must identify the student(s) involved and describe the conduct that both violated the Code of Conduct and constituted a crime.

IX. DISCIPLINARY PENALTIES

A. Purpose & Principles

The Niagara Falls City School District believes discipline should reflect humanitarian principles of justice and equality. It must respect the inherent dignity and rights of every person and promote self-direction and self-discipline. Effective discipline addresses behavior promptly and fairly, helping students replace unacceptable behavior with acceptable conduct rather than serving solely as punishment.

Respect for individual rights and for the rights of the school community is fundamental. When necessary, disciplinary action will be firm, fair, and consistent to support positive behavior change.

B. Staff Training & Implementation

The Board of Education expects all staff to know how to implement the Code of Conduct effectively. All new staff members receive the Code of Conduct and an orientation before each school year. Building administrators inform and update current staff during faculty meetings and/or conference days. From time to time, the District offers courses on effective disciplinary techniques and strategies.

C. Determining Appropriate Disciplinary Action

When determining an appropriate disciplinary action, authorized school personnel will consider:

- The student's age.
- The nature of the offense and the circumstances leading to the offense.
- The student's prior disciplinary record.
- The effectiveness of other forms of discipline.
- Information from parents, teachers, and/or other relevant individuals.
- Whether the conduct is related to a disability or suspected disability. If so, the student shall be referred to the Committee on Special Education, and discipline, if warranted, shall be administered consistent with this Code of Conduct and applicable law. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.
- Other extenuating circumstances.

D. Restorative Practices

Restorative practices are a philosophy and set of principles that guide responses to conflict and harm. Beginning

in the 2017–2018 school year, the District will explore and implement restorative practices, as appropriate.

- Restorative practices have three main goals:
- Accountability: Provide opportunities for students who caused harm to be accountable to those affected and to repair harm to the extent possible.
- School community safety: Build relationships and empower the community to take responsibility for the well-being of its members.
- Competency development: Increase pro-social skills, address underlying factors contributing to misconduct, and build on each student's strengths.

E. Youth Court

Youth Court is a voluntary alternative to traditional discipline following an acknowledged Code of Conduct violation. Its goal is to intervene early in anti-social, delinquent, and criminal behavior to reduce incidents and prevent escalation. Youth Court promotes self-esteem, self-improvement, and a healthy attitude toward rules and authority.

F. Penalties & Procedures

Students who violate the District's Code of Conduct may be subject to one or more of the following penalties. The personnel authorized to impose each penalty are listed with the penalty, consistent with due process requirements.

In all cases, authorized personnel must inform the student of the alleged misconduct and investigate the surrounding facts. Students have the opportunity to present their version of events. Students receiving penalties beyond verbal or written warnings and written parent notification are entitled to additional rights as outlined below.

1. **Verbal Warning**
   Authorized: Any District staff member.

2. **Written Warning to Student**
   Authorized: Superintendent, administrators, teachers, hall and lunch monitors, safety officers, school resource officers, bus drivers.

3. **Written Notification to Parent**
   Authorized: Superintendent, administrators, teachers, deans.

4. **Referral to Student Support Team (SST)**
   Authorized: School administrator.

   Definition: The SST is a problem-solving group that determines strategies for addressing day-to-day school issues.

   An administrator may refer a student to the SST to:
   - Address problems occurring within the building.
   - Review an existing case.
   - Screen for possible Committee on Special Education (CSE) review.

5. **Exclusion on Physician's Recommendation**
   Definition: Exclusion from school may occur when a medical or clinical examination indicates a student cannot benefit from a normal school experience or recommends placement outside of school.

   In such cases, the principal, with consent of the School Medical Inspector and the Coordinator of Health Services, will determine appropriate courses of action.

6. **Suspension from Transportation**
   Authorized: Superintendent and/or administrator.

Definition: If a student does not conduct himself/herself properly on the bus, the driver must inform the building administrator and the Director of Student Services. Students who present serious disciplinary problems may have their riding privileges suspended by the building administrator or Superintendent. In such cases, the parent is responsible for ensuring safe travel to and from school.

Procedure:

- The bus driver makes reasonable efforts to resolve problems through a personal conference with the student.
- A hearing under Education Law §3214 may be held at the principal's discretion but is not required for suspension from transportation. The student and parent are offered a reasonable opportunity for an informal conference with the principal or designee to discuss the conduct and penalty.
- If suspension from transportation results in suspension from attendance, the District will arrange for the student's education.

7. Suspension from Athletic Participation, Social/Extracurricular Activities, & Other School Functions

Authorized: Superintendent, building administrator, and/or athletic director.

Definition: Suspension from athletic participation, social/extracurricular activities, and other privileges denies a student the right to participate in selected activities or revokes a specific privilege.

Procedure:

- Attempt to resolve the problem through a personal conference with the student.
- A temporary suspension may be imposed by a building administrator after a conference informing the student of the charges and supporting evidence, and providing an opportunity to respond. Reasonable efforts are made to promptly inform parents/guardians, preferably by telephone, of the suspension and reasons.
- If the temporary suspension does not resolve the problem, suspension for the remainder of the school year may be imposed. Parents/guardians will be promptly informed, preferably by telephone, of the decision and reasons.
- A hearing under Education Law §3214 may be held at the principal's discretion but is not mandatory. The student and parent are provided a reasonable opportunity for an informal conference with the principal or designee.

8. Time Out Study Hall (TOSH)

Authorization: Principals or designees may assign students who would otherwise be suspended to TOSH as an alternative disciplinary action.

Definition: Removal from a scheduled class to a closely supervised environment where students complete assignments provided by their teachers. This is typically used for substantially disruptive behavior.

Guidelines:

- The student is informed of the reason for assignment to TOSH.
- The room is monitored by certified personnel.
- The student completes independent academic work in silence.
- If the student disrupts TOSH, the monitor may apply strategies including time-out, assigning additional hours in TOSH, contacting the teacher or parent, or referring to an administrator/designee.
- The student eats alone and is escorted to and from restrooms.
- If the student misbehaves after returning to class, he/she may be reassigned to TOSH.
- Parents are notified in writing immediately by the school administrator regarding TOSH assignment.
- Prior to reinstatement, a parent conference may be held with an administrator/designee. The administrator may consider referral to the Student Support Team.
- Emergency situations: The school administrator and staff should plan methods to remove severely disruptive students; crisis intervention techniques may be used to de-escalate inappropriate behavior.

9. Teacher Disciplinary Removal of Disruptive Students

General: Classroom management techniques (e.g., short time-out, removal for the remainder of class, sending a student to a counselor) help maintain control and do not constitute disciplinary removal for purposes of this Code.

Definition: A disruptive student is one who substantially disrupts the educational process or substantially interferes with the teacher's authority. This occurs when a student persistently refuses to comply with instructions or repeatedly violates classroom behavior rules.

Procedure:

- A teacher may remove a student from his/her class for up to two days if the student is disruptive. The removal applies only to the teacher's class.
- If the student does not pose a continuing danger or ongoing threat of disruption, the teacher provides an explanation before removal and gives the student an opportunity to present his/her version of events.
- If the student poses a continuing danger or ongoing threat, the teacher may remove the student immediately and must provide an explanation and opportunity to respond within 24 hours.
- The student will be offered continued educational programming and activities during removal.
- The teacher must notify the principal in writing of the reasons for removal using the district referral form, providing substantial evidence and specifying the duration of removal.
- The teacher meets with the principal/designee as soon as possible, no later than the end of the school day, to explain the circumstances and present referral forms. If unavailable, the teacher submits the form and meets before the next school day begins.

Notice:

- Within 24 hours of removal, the principal or designee notifies the parent in writing of the removal and reasons. Notice should also be provided by telephone where possible.
- Parents have the right, upon request, to meet informally with the principal/designee to discuss the removal.

Informal meeting:

- If requested, the principal/designee holds an informal meeting within 48 hours of removal. The teacher may be required to attend if the meeting occurs during the teacher's normal workday at a time other than designated planning time.
- If the student denies the charges, the principal/designee explains the basis for removal and allows the student and parent to present their version of events.

Principal's determination:

- The principal/designee may overturn the removal up to the close of business on the day following the 48-hour period for the informal meeting (within 72 hours of removal) if the conference is requested, only if:
  - The charges are not supported by substantial evidence;
  - The removal violates law or the District's Code of Conduct; or
  - The conduct warrants further suspension under Education Law §3214 and a suspension will be imposed.
- A student removed by a teacher may not return to the classroom until the principal makes a final determination or the removal period expires, whichever is sooner.
- Teachers must keep a complete log using the District form for all removals; principals must keep a log of all removals.
- Before removing a student with a disability, the teacher must verify with the principal or CSE chairperson that the removal will not violate the student's rights under state or federal law or regulation, as removal may constitute a change in placement.

10. Suspension from School

Authority: The Board of Education retains authority to suspend students, with primary responsibility placed on the Superintendent and principals.

Any staff member may recommend discipline to the principal. Violent students must be immediately

reported and referred to the principal for Code of Conduct violations. Suggestions and referrals should be in writing unless immediate attention is warranted. The principal (Suspending Authority) gathers and records relevant facts.

10.1 Short-Term Suspension (Five days or less)

Authorized: Board of Education, Superintendent, and/or building principal.

Definition: Denial of a student's right to attend school or any school function for five days or less.

Procedure:

- The suspending authority immediately notifies the student orally. If the student denies the misconduct, an explanation of the basis for the proposed suspension is provided.
- The suspending authority notifies the parent in writing that the student may be suspended. Notice is provided by personal delivery, express mail, or other means reasonably calculated to assure receipt within 24 hours to the last known address. Where possible, notice is also provided by telephone.
- The notice describes the charges and incident and informs the parent of the right to request an immediate informal conference with the principal. Both notice and conference will be in the parent's dominant language or mode of communication.
- At the conference—attended, if possible, by the complaining witness and/or relevant school personnel—the principal/designee informs the student of the charges and supporting evidence. Parents may ask questions of complaining witnesses.
- Notice and opportunity for an informal conference occur before suspension unless the student's presence poses a continuing danger or on-going threat of disruption. If so, notice and conference occur as soon as reasonably practicable after suspension.

Appeal:

- Parents may appeal the principal's decision in writing within five business days to the Superintendent, unless extraordinary circumstances preclude doing so. The Superintendent issues a written decision within 10 business days.
- If not satisfied, parents may appeal to the Board of Education in writing within 10 business days of the Superintendent's decision. Only final Board decisions may be appealed to the Commissioner of Education within 30 days.

10.2 Long-Term Suspension (More than five days)

Authorized: Board of Education, Superintendent, and/or building principal.

Definition: Denial of a student's right to attend school or any school function for more than five *school* days.

Procedure:

- If a short-term suspension is not adequate, the Superintendent or principal gives reasonable written notice of charges and the right to a fair hearing. The student and parent may knowingly, voluntarily, and intelligently waive the hearing and accept the proposed disciplinary action.
- If the hearing is not waived, the principal calls for a Superintendent's hearing within five school days from the date of suspension, making every effort to ensure the presence of persons with knowledge of the facts.
- Written notice of the hearing includes the date, time, place, charges, and rights: representation by counsel, questioning witnesses, and presenting witnesses/evidence.
- The Superintendent hears and determines the proceeding or may designate a hearing officer who can issue subpoenas, administer oaths, and determine sufficiency/admissibility of evidence. Irrelevant, immaterial, or unduly repetitious evidence may be excluded. Privilege rules recognized by law apply.
- A record of the hearing is maintained (a tape recording suffices). A copy will be prepared upon request by the student, parent(s), or authorized representative.
- The hearing officer makes written findings of fact and recommendations on discipline to the

Superintendent. The Superintendent issues the final determination and notifies the parent(s) in writing.

Possible outcomes of a Superintendent's suspension include:

- Additional school days of suspension.
- Home teaching.
- Placement in an alternative program such as P.R.I.D.E. after school.
- Referral to Adult Education program, if applicable.
- Fully remote instruction.
- Referral to Family Court.
- Referral to outside agency for support.
- Permanent suspension.

Appeal:

- Parents may appeal the Superintendent's decision to the Board of Education in writing within 10 business days, unless extraordinary circumstances preclude doing so. The Board decides based solely on the record.
- Final Board decisions may be appealed to the Commissioner of Education within 30 days.

G. Minimum Periods of Suspension

1. Students who bring a weapon to school

- Any student, other than a student with a disability, found guilty of bringing a firearm onto school property will be suspended for at least one calendar year. A firearm is defined consistent with 18 U.S.C. §921 and includes, for purposes of this Code, any gun (e.g., pistol, revolver, shotgun, rifle, machine gun), antique firearm, pellet gun, air gun, BB gun, electronic dart gun, electronic stun gun, paint gun, and flare gun.
- Before suspension, the student will have an opportunity for a hearing under Education Law §3214. The Superintendent may modify the one-year suspension on a case-by-case basis, considering factors such as age, grade level, prior record, effectiveness of other discipline, input from parents/teachers/others, and other extenuating circumstances. A student with a disability may be suspended only in accordance with State and federal law.

2. Students who bring weapons other than firearms or commit other violent acts

- Any student, other than a student with a disability, who brings a weapon other than a firearm to school or commits a violent act other than bringing a weapon onto school property is subject to suspension. For short-term suspensions, the student and parent receive the same notice and opportunity for a hearing as provided for short-term suspensions; for suspensions exceeding five days, the long-term suspension procedures apply. The Superintendent may modify minimum suspensions case-by-case using the same factors as above.

3. Students repeatedly substantially disruptive of the educational process or substantially interfering with teacher authority

- Any student, other than a student with a disability, who repeatedly is substantially disruptive or substantially interferes with teacher authority is subject to suspension. 'Repeatedly substantially disruptive' means conduct resulting in removal by teachers under Education Law §3214(3-a) and this Code on four or more occasions during a semester or three or more occasions during a trimester. Applicable short- or long-term suspension procedures apply. The Superintendent may modify minimum suspensions case-by-case using the factors described above.

H. Referrals

1. Counseling

The Guidance Office handles all referrals of students to counseling.

2. PINS Petitions (Person In Need of Supervision)

The District may file a PINS petition in Family Court for any student under age 18 who demonstrates a need for treatment by:

- Being habitually truant and not attending school as required by Article 65, Part One of the Education Law.
- Engaging in an ongoing or continual course of conduct that makes the student ungovernable, habitually disobedient, and beyond the lawful control of the school.
- Knowingly and unlawfully possessing marijuana or any other illegal substance in violation of Penal Law §221.05. A single violation of §221.05 is sufficient grounds to file a PINS petition.

3. Juvenile Delinquents

The Superintendent may refer the following students to the District Attorney for juvenile delinquency proceedings before Family Court:

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

4. Juvenile Offenders

The Superintendent must refer students age 16 and older, or any student 14 or 15 years old who qualifies for juvenile offender status, to appropriate law enforcement authorities. A student 14 or 15 years old who possesses a firearm, machine gun, or loaded firearm as defined in Penal Law §265.00 on school grounds qualifies for juvenile offender status under Criminal Procedure Law §1.20(42)(b).

X. ALTERNATIVE INSTRUCTION

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

Students on suspension shall be given the opportunity to continue their education. Options may include make-up work, home teaching, the after-school Pride program, or transfer to another school. The Superintendent or designee will inform parents or guardians of all available opportunities.

Alternative instruction may also be provided to students over compulsory attendance age who express a sincere desire to complete their high school education.

Students on suspension are not permitted on school property, may not attend school functions for any reason, and may not participate in extracurricular activities during the suspension period. Any student found on school property while suspended may face criminal trespass charges.

A. Alternative Programming

The District provides alternative programming for students who have difficulty functioning in a regular school environment and who have not responded to prior corrective measures. This may include attendance in the after-school Pride program, which offers instruction in a smaller setting as a “school within a school,” supporting the District’s mission to meet the needs of all students.

Students who demonstrate continued academic, social, and behavioral progress may be reassigned to a regular school setting once school officials and the student’s parent or guardian reach agreement.

B. Persons Requiring Individually Designed Education

Several programs operate outside normal school hours or in alternative formats to support students in smaller academic settings. At the high school level, programs include Twilight, the after-school Pride program, and the Big Picture program (which operates during the school day). At the Prep level, similar programs include Stride, Alternative Learning Community (ALC), and SOAR.

These programs offer instruction in the basic curriculum, along with academic requirements and enrichment activities comparable to the regular school day. Students demonstrating consistent academic, social, and behavioral progress may return to a regular school setting upon meeting established guidelines and reaching

agreement with school officials and the student's parent or guardian.

XI. DISCIPLINE OF STUDENTS WITH DISABILITIES

Special education students are those identified by the Committee on Special Education (CSE) as requiring special education programs and services due to academic, social, physical, or emotional needs.

The Board of Education recognizes that special education students may, when necessary, be subject to suspension, removal, or other disciplinary action to address disruptive or problematic behavior. The Board also acknowledges that such students are entitled to specific procedural protections under federal and state law. The Board is committed to ensuring that all disciplinary actions involving students with disabilities comply with applicable legal requirements.

The intent of this Code of Conduct is to teach students responsibility for their behavior while recognizing that disciplinary expectations must be reasonable in light of an individual student's disability. This policy seeks to balance enforcement of appropriate behavioral standards with recognition of individual limitations and needs. Students with disabilities are afforded neither greater nor fewer rights than those provided under applicable law.

A. Authorized Suspensions or Removals of Students with Disabilities

1. Definitions

For purposes of this section:

- **Suspension** means a suspension pursuant to Education Law §3214.
- **Removal** means removal for disciplinary reasons from a student's current educational placement other than a suspension, including placement in an Interim Alternative Educational Setting (IAES) ordered by an impartial hearing officer due to risk of harm.
- **IAES (Interim Alternative Educational Setting)** means a temporary educational placement, for up to 45 days, other than the student's current placement, that allows the student to continue progressing in the general curriculum and to receive services, modifications, and behavioral interventions required to meet IEP goals and prevent recurrence of the behavior.
- **Weapon** has the same meaning as "dangerous weapon" under 18 U.S.C. §930(g), excluding a pocket knife with a blade less than 2½ inches long.
- **Controlled Substance** means a substance defined in applicable federal and state controlled substances laws.
- **Illegal Drugs** means controlled substances not legally possessed or used under federal law or under the supervision of a licensed healthcare professional.

2. Authority to Suspend or Remove

School personnel may suspend or remove a student with a disability from their current placement as follows, provided the duration does not exceed that imposed on non-disabled students for the same behavior:

- The Board, Superintendent, or Principal may order suspension, removal, or placement in an IAES for up to five (5) consecutive school days.
- The Superintendent may order suspension, removal, or placement for up to ten (10) consecutive school days, inclusive of any prior removal for the same behavior.
- The Superintendent may order additional removals of up to ten (10) consecutive school days in the same school year for separate incidents, provided the removals do not constitute a change of placement.
- The Superintendent may order placement in an IAES, as determined by the CSE, for up to 45 calendar days when a student carries or possesses a weapon, knowingly possesses illegal drugs, or sells or solicits the sale of a controlled substance at school or a school function.

3. Subject to applicable law, an impartial hearing officer may order placement in an IAES for up to 45 days if maintaining the student in the current placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change of placement occurs when a suspension or removal:

- Exceeds ten (10) consecutive school days; or
- Is part of a series of removals totaling more than ten (10) school days in a school year and constitutes a pattern due to length, total time, and proximity.

2. School personnel shall not impose a suspension or removal that constitutes a disciplinary change of placement unless:

- The CSE determines the behavior was not a manifestation of the student's disability; or
- The student is placed in an IAES for conduct involving weapons, illegal drugs, or controlled substances.

C. Special Rules Regarding Suspension or Removal

1. CSE Responsibilities

- Conduct a Functional Behavioral Assessment (FBA) and develop or review a Behavioral Intervention Plan (BIP) when a student is removed for more than ten (10) school days in a school year or when a disciplinary change of placement occurs, including IAES placements involving weapons or drugs. If subsequent removals occur that do not constitute a change of placement, the CSE shall review and modify the BIP as needed.
- Conduct a manifestation determination whenever a decision is made to impose a disciplinary change of placement or place a student in an IAES due to weapons, drugs, or safety risk.
- Provide parents with notice of disciplinary removals no later than the date a decision is made resulting in a disciplinary change of placement or IAES placement.

2. Short-Term Suspension

Students with disabilities may be subject to short-term suspension, provided procedures are followed to determine whether the behavior is a manifestation of the disability. Generally, if the behavior is related to the disability and does not pose a serious danger, alternatives to suspension should be considered.

Procedures include:

- Ongoing behavior concerns shall be referred to the Student Support Team (SST). A referral to the CSE is required when a student accumulates ten (10) suspension days. The CSE shall review the behavior in relation to the IEP and notify parents of their rights.
- Parents shall be offered an informal conference pursuant to Education Law, attended by appropriate staff, to discuss preventive strategies.
- Upon a second suspension, the principal shall refer the case to START unless the suspension occurs within ten (10) days of the first for the same conduct and additional time is needed to implement the agreed plan.
- START referrals may be postponed for up to thirty (30) school days to allow implementation of interventions.
- Administrators must determine whether the behavior is disability-related and may not suspend a student for manifestations of a disability unless the student poses an imminent threat.
- Suspension notice letters must be sent to parents and the CSE each time a student with a disability is suspended.
- Suspension and conference records shall be maintained at the school.

3. Long-Term Suspension Referrals

Special education students may be subject to long-term suspension under the same procedures as non-disabled students unless the behavior is determined to be a manifestation of the disability.

Superintendent hearings shall be conducted in a guilt phase and penalty phase.

- **Step 1:** The principal imposes a short-term suspension and requests a Superintendent's hearing; notice is sent to parents and CSE.
- **Step 2:** The hearing is held within five (5) school days to determine factual findings.
- **Step 3:** Within ten (10) days of suspension, the CSE convenes to conduct a manifestation determination, review placement, and consider interim placement.
- **Step 4: Nexus Exists (behavior related to disability)**
  - No discipline imposed

- CSE determines placement and IEP
- IAES placement up to 45 days permitted for weapon offenses
- Court relief may be sought in emergency safety situations

- **Step 5: Nexus Does Not** Exist **(behavior not related)**
  - Discipline may proceed consistent with non-disabled student procedures

4. Other Removals

Non-suspension removals shall follow due process applicable to non-disabled students and may not exceed ten (10) days or result in a disciplinary change of placement unless the CSE determines the conduct is not a manifestation of the student's disability.

5. Services During Removal

During any suspension, removal, or IAES placement, students with disabilities shall receive educational services as required by law.

D. Referral to Law Enforcement and Judicial Authorities

1. The District may report crimes committed by students with disabilities to appropriate authorities without it constituting a change of placement.

3. The Superintendent shall ensure that relevant special education and disciplinary records are provided to law enforcement when a crime is reported.

XII. CORPORAL PUNISHMENT

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

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

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

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

XIII. STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to maintaining a safe and orderly environment on school property and at school functions. To support this goal, any school official authorized to impose disciplinary penalties may question a student regarding suspected violations of the District Code of Conduct. Students are not entitled to "Miranda"-type warnings, nor must school officials notify parents prior to questioning; however, officials will inform students of the reason for questioning.

The Board authorizes the Superintendent, Principals, and their designees to search students and their belongings when there is reasonable suspicion that the search will reveal evidence of a violation of law or the Code of Conduct. Minimal, non-intrusive searches (e.g., touching the outside of a backpack) may occur without reasonable suspicion when there is a legitimate purpose.

Searches undertaken when there is a reasonable belief of an immediate threat to health or safety may be conducted as quickly as necessary. Reasonable suspicion is based on factors including the seriousness and prevalence of the issue, the urgency of the situation, and the reliability and probative value of the information provided. Information

from informants may be used to justify a search.

A. Procedures

1. Request and Consent:

Search requests shall be directed to the principal or designee, who will seek an admission of possession or voluntary consent. Searches shall be limited to what is necessary to find the suspected item.

2. Conducting Searches:

When reasonable suspicion exists that a student is engaging in illegal activity or possesses items posing a threat to health, safety, welfare, or morals, a search may be conducted. When practicable, searches should occur privately in administrative offices, and students should be present during searches of their possessions.

3. Restrictions on Intrusive Searches:

Searches requiring removal of clothing (except outerwear such as coats or jackets) are prohibited unless probable cause exists and approval has been provided in advance by the Superintendent or school district attorney. Such searches must be conducted by an administrator or designee of the same gender as the student, in the presence of another District professional employee of the same gender.

B. Documentation of Searches

The principal or designee shall promptly document each student search in writing, including:

1. Name, age, and grade of the student.
2. Reason for the search.
3. Names of informants, if any.
4. Purpose of the search (items sought).
5. Type and scope of search.
6. Name, title, and position of the person conducting the search.
7. Names of witnesses, if any.
8. Time and location of the search.
9. Results (items found).
10. Disposition of items.
11. Time, manner, and results of parental notification.

The principal or designee is responsible for custody, control, and disposition of illegal or dangerous items, and must personally deliver such items to law enforcement when appropriate.

C. Police Involvement in Searches and Interrogations

The District cooperates with police officials to maintain safety; however, police authority to interview or search students at school is limited. Except for School Resource Officers, police may not enter school property to question or search a student or conduct investigations unless they have:

1. A search or arrest warrant,
2. Probable cause that an illegal act has occurred or is occurring on school property, or
3. An invitation from school officials.

When a police officer presents a search warrant, the principal will attempt to notify the student's parent prior to questioning or searching, giving them the opportunity to be present. If parents cannot be reached beforehand, they will be notified in writing as soon as possible. The principal or designee will be present for all police questioning or searches.

Students questioned by police are afforded the same legal rights they would have outside school, including:

12. Being informed of their legal rights,
13. The right to remain silent, and
14. The right to request an attorney.

D. Weapons Detector Searches

The Niagara Falls City School District Metal Detector Policy prohibits employees, students, volunteers, and

visitors from carrying weapons, as defined in this Code, on their person or in their belongings on school property.

The Board may implement Metal Detector Policy procedures whenever the Superintendent or designee determines they are necessary to maintain a safe and orderly environment.

NOTE: Inclusion of the Weapons Detector Policy in this Code serves as notice to all students and parents that individuals may be subject to weapons detector searches upon entering District buildings.

E. Student Lockers, Desks, and Other School Storage Places

Lockers, desks, and other storage places are provided for storing materials needed for school. Students have **no reasonable expectation of privacy** in these areas.

The principal or designee shall inform students that lockers and storage areas may be inspected at any time. Requests to search a student's possessions must be directed to the principal or designee, who will seek admission or consent. Searches will be limited to locating the suspected item, and students should be present when their possessions are searched whenever practical.

F. Canine Narcotics Searches

The District prohibits possession, use, sale, or distribution of alcohol, drugs, or drug paraphernalia by any employee, student, volunteer, or visitor on school property or at school events, except for physician-prescribed medications.

The Board may implement the Canine Narcotics Search Policy when the Superintendent or designee determines it is necessary for maintaining a drug-free environment.

For this policy, drugs and paraphernalia include, but are not limited to:alcohol, tobacco, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alikes, “designer drugs,” canisters, containers, pipes, rolling papers, and any other items used to facilitate the use, concealment, or distribution of these substances.

NOTE: Inclusion of the Canine Narcotics Search Policy in this Code serves as notice that individuals may be subject to canine searches upon entering District buildings.

G. Child Protective Services (CPS) Investigations

The District will cooperate with CPS workers investigating allegations of abuse, neglect, or custody concerns. All CPS interview requests must be made to the principal, who will arrange the time and place.

The principal will determine whether a school official should be present based on the student's age and the nature of the allegations. If verification requires a student to remove clothing, the school nurse or District medical personnel must be present for that portion of the interview. No student may be required to remove clothing in front of a CPS worker or District staff member of the opposite sex.

A CPS worker may not remove a student from school without a court order unless the worker reasonably believes the student is in immediate danger of abuse. In such cases, removal may occur without parental consent or court order.

XIV. VISITORS TO THE SCHOOLS

The Board encourages parents and community members to visit district schools and classrooms to observe the work of students and staff. Because schools are places of work and learning, certain limits are necessary to maintain order. Unauthorized visits can disrupt school operations. The following procedures apply to all visitors:

1. Check-In Requirement:

All visitors - students and non-students - must report to the school office upon entering the building, state their reason for being on site, and obtain approval.

2. Visitor Signage and Trespassing:

Principals must post signs at building entrances directing all visitors to check in at the school office. Visitors who lack legitimate business and refuse to leave when asked may be charged with trespassing.

3. Classroom Observation:

Parents and community members wishing to observe a classroom while school is in session must arrange the visit in advance with the classroom teacher(s) to ensure minimal disruption. Teachers are not expected to use class time to discuss individual matters with visitors.

4. Conduct Expectations:

All visitors must follow the rules for public conduct on school property as outlined in this Code of Conduct.

5. Handling Uncooperative Visitors:

Principals or staff members are not expected to forcibly remove individuals from the building. If a person refuses to leave after being asked, police shall be contacted. Staff members must cooperate by providing identifications and other necessary information.

XV. PUBLIC CONDUCT ON SCHOOL PROPERTY

The District is committed to maintaining an orderly and respectful environment conducive to learning. To ensure such an environment, public conduct on school property and at school functions must be regulated. These rules are not intended to limit freedom of speech or peaceful assembly. Free inquiry and expression are essential, but public order and the rights of others must be protected.

A. PROHIBITED CONDUCT

No person, alone or with others, shall:

- Intentionally injure or threaten to injure any person.
- Intentionally damage, misuse, or remove district property.
- Disrupt classes, programs, or school activities.
- Distribute or wear materials that are obscene, advocate illegal acts, appear libelous, obstruct others' rights, or disrupt the school program.
- Intimidate, harass, or discriminate based on race, color, nationality, religion, age, sex, sexual orientation, or disability.
- Enter unauthorized areas or remain after closing.
- Obstruct the free movement of any person.
- Violate traffic laws, parking regulations, or vehicle restrictions.
- Possess, consume, sell, distribute, exchange, or be under the influence of alcoholic beverages or controlled substances on school property or at school functions.
- Possess, use, sell, distribute, or exchange tobacco or tobacco products on school property or at school functions, or refuse a request to abstain from their use.
- Possess or use firearms, look-alike firearms, or other weapons (air guns, pistols, rifles, shotguns, ammunition, explosives, box cutters, knives, gas canisters, pepper spray, or other noxious sprays), except law enforcement officers or those specifically authorized by the District.
- Loiter on or around school property.
- Gamble on school property or at school functions.
- Refuse to comply with lawful orders of identifiable district officials.
- Willfully incite others to violate this code.
- Violate any federal or state statute, local ordinance, or board policy while on school property or at a school function.

B. PENALTIES

Persons who violate this code shall be subject to:

- **Visitors:** Loss of authorization to remain on school grounds or at functions and direction to leave. Refusal will

result in ejection.

- **Students:** Immediate ejection and disciplinary action pursuant to the Code of Conduct and due process.
- **Tenured Faculty:** Immediate ejection and disciplinary action under Education Law §3020-a or other applicable rights.
- **Civil Service Employees:** Immediate ejection and disciplinary action under Civil Service Law §75 or other applicable rights.
- **Other Staff:** Immediate ejection and disciplinary measures including warnings, reprimands, suspension, or dismissal in accordance with legal rights.

C. ENFORCEMENT

The Superintendent is responsible for enforcing this Code and may designate staff to do so.
If prohibited conduct occurs and does **not** pose an immediate threat, the designated official shall inform the individual, direct them to stop, and warn of consequences. If the individual refuses or if the conduct poses an immediate threat, the official shall remove the person from school property or the event. Law enforcement may be contacted as needed.

The District will impose disciplinary actions on students and staff as described in the Penalties section and may pursue civil or criminal action against any violator.

D. ATHLETIC SPECTATOR EXPECTATIONS

This Expectations Form must be shared with parents/guardians of all NFCSD student-athletes. Expectations will be enforced by administration, coaching staff, and school personnel at all athletic events.
All students, parents/guardians, and spectators must consistently demonstrate positive sportsmanship toward players, coaches, officials, school staff, and other spectators. Students must follow the Niagara Falls City School District Athletic Code of Conduct.

All NFCSD spectators are expected to:

- Treat NFCSD and opposing athletes, coaches, personnel, and officials with respect as members of the educational community.
- Accept victory or defeat without excessive emotional reactions.
- Control tempers and emotional responses.
- Support a positive environment by avoiding criticism of officials.
- Cooperate with coaches and school personnel to promote sportsmanship.
- Refrain from swearing or making insulting remarks before, during, or after contests.
- Model appropriate behavior, reminding student spectators that misconduct reflects poorly on the team and school community.
- Demonstrate pride in student-athletes, coaches, and the school community.

Examples of unacceptable behavior include, but are not limited to:

- Threatening actions or verbal abuse toward players, fans, coaches, staff, or officials.
- Unauthorized entry into playing areas, team benches, or locker rooms before, during, or after contests or scrimmages.
- Chants or remarks intended to insult, embarrass, or humiliate opponents or their supporters.
- Throwing objects onto the playing area, bench area, or at any person.

Inappropriate spectator behavior will result in immediate removal and permanent exclusion from athletic contests.

APPENDIX I
Expected Student Behavior

In Niagara Falls public schools all students are expected to:

BEHAVIOR-RELATED OFFENSES AND CONSEQUENCES

The following range of consequences should apply in most circumstances. In unusual or extreme cases, this range may not be appropriate. For cases involving absence, truancy, class cutting, tardiness to school or to class, the intention is not to remove the student from the school or the classroom setting except in extreme circumstances.

I	II	III	IV	V
Staff/Admin. Response	**Parent/Guardian Involvement**	**Reallocation of Student's Time**	**Exclusion from Normal School Time Activities**	**Expulsion**
OPTIONS	**OPTIONS**	**OPTIONS**	**OPTIONS**	**OPTIONS**
Warning Verbal reprimand Teacher removal Time-out or out of classroom Loss of privileges Teacher/admin. /counselor conference with student Contact with parent	Phone call to parent/guardian Written notification Conference with parent/guardian/ admin./counselor	Time Out Study Hall Parent/guardian notification Restorative Practices	Time Out Study Hall Suspend student privileges Alternative placement Parent/guardian notification required Restorative Practices	Parent/guardian notification required

Offense	Definition	Range
Absence-Unlawful	An absence for a day or any portion of a day for any reason other than those cited as lawful and/or failure to bring a note written by a parent/guardian to verify a lawful absence.	I to IV
Alcohol Violation	Possession or use of any alcohol sub-stance, including possession with intent to sell, give, deliver, or distribute.	II to V
Arson/Fire	Attempting to, aiding in, or setting fire to a building or other property.	II to V
Bus Misbehavior	Any violation of school system policy, or bus driver rules or policy occurring on a school bus.	I to IV
Cellular Phone	Carrying, wearing or using an unauthorized portable electronic communication device.	I to IV
Cheating/Academic Dishonesty	Copying; plagiarizing; altering records; or assisting another in such actions.	I to IV
Computer/Electronic Communication Misuse	Any unauthorized use of computers, software, or internet/intranet account to access internet/intranet; accessing inappropriate websites; misuse of website, internet/intranet account or internet/intranet resource.	I to V
Cutting Class	Unlawful absence from a class or school activity.	II to IV

Defamation	False or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.	II to IV
Destruction of Property/Vandalism	Damage, destruction or defacement (graffiti) of property belonging to the school or others.	I to IV
Discrimination	Use of race, color, creed, national origin, religion, physical or mental disability, age, gender, marital status, physical traits or sexual orientation as a basis for treating another in a negative manner.	II to V
Disrespect toward adults	Inappropriate comments or physical gestures to teachers, staff members, or other adults in the school community.	I to IV
Disruption, classroom	Behavior that interferes with the learning of others in any learning environment.	I to IV
Disruption, inciting and/or participating	Behavior disturbing the atmosphere or order.	I to V
Disruption, school	Behavior that interferes with the safe and orderly environment of the school.	I to IV
Drug Violation	Possession or use of (including possession with the intent to sell, give, deliver, or distribute) any inhalants or other intoxicants; controlled dangerous substance including prescription drugs, over-the-counter medicines, look-a-likes, and substances represented as controlled dangerous substances; or drug paraphernalia.	II to V
Failure to Serve Assigned Consequences	Failure to serve suspension or other assigned consequences or school activity.	I to IV
False Alarms/ Bomb Threats	Initiating a report warning of fire, or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.	II to V
Fighting	A hostile confrontation with physical contact involving two or more students.	II to V
Fireworks or Explosives	Possession, use and/or threat to use firecrackers, smoke bombs, flares, combustibles or explosive substances or combination of substances or articles.	II to V
Gambling	Wagering money or property.	I to IV
Gang Activity	Participation in activity relating to an organized group characterized by turf concerns, symbols, special dress and colors	II to V
Harassment	A sufficiently severe action or persistent pervasive pattern or actions or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning.	II to V
Hazing	Intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club, or team.	II to V
Indecent Exposure	Exposure to sight of the private parts of the body in a lewd or indecent manner.	II to V
Insubordination	Refusing to follow reasonable directions of teachers, staff, administration, including failure to identify self.	III to V

Intimidation	Engaging in actions or statements that put an individual in fear of bodily harm.	I to IV
Leaving school grounds without permission	Leaving school grounds during regular school hours without written or verbal permission from parent/guardian or someone listed on the emergency procedure card.	III to V
Pager	Carrying, wearing or using an unauthorized portable electronic communication device.	II to IV
Physical Attack on Staff	Aggressive action directed at school staff, with physical contact, while on school grounds or at a school-sponsored event, including a situation where a staff member is intervening in a fight or other disruptive activity.	II to V
Physical Attack on Students or Others	Aggressive action, with physical contact, directed at another person, student or non-student, on school grounds or at a school-sponsored event.	II to V
Profanity	Using vulgar or abusive language, cursing, swearing.	I to V
Sexual Harassment	Unwanted and inappropriate verbal, written, or physical conduct of a sexual nature directed towards others.	II to V
Stalking	A malicious course of conduct that includes approaching or pursuing another person with the intent to place that person in a reasonable fear of serious bodily injury or death; or that a third person will likely suffer serious bodily injury or death.	II to V
Tardiness	Lateness to school or class; tardiness to class of 20 minutes or more equals one class absence; three incidents of unexcused tardiness of less than 20 minutes equals one class absence.	I to IV
Theft	Taking or obtaining property of another without permission or knowledge of the other.	II to V
Threat to Staff, Physical or Verbal	Expression, conveyed by word or action, of intent to do physical harm to a staff member. (Including online threats)	II to V
Threat to Student Physical or Verbal	Expression, conveyed by word or action, or intent to do physical harm to another student. (Including online threats)	II to V
Tobacco	Possession or use of any tobacco or tobacco products; including possession with the intent to sell, give, deliver, or distribute.	II to V
Trespassing	Unauthorized presence on school property including while on a restrictive trespass, suspension, or expulsion.	II to V
Truancy	Unlawful absence without parental knowledge.	III to V
Uncooperative Behavior	Intentional failure to follow reasonable directions of staff members or participate cooperatively in a school or class activity.	I to IV
Weapons Violations	Possession of an object or implement capable of causing harm or used in such a way to cause harm to another. This includes all guns, including pellet and BB guns, knives, and any implement, visible or concealed, possessed under a circumstance which would reasonably lead a person to believe it was a weapon.	IV to V

APPENDIX II
Consequences For Violations Of Behavior & Discipline Policies

The professional staff at a school has the responsibility for taking appropriate actions when a student is involved in a situation which disrupts the learning environment of a school. When determining the consequences, they take the following into consideration:

- The severity of the incident.
- A student's previous violations and/or consequences for the same or a related offense.
- If the offense interfered with the responsibility/rights/property of others.
- If the offense posed a threat to the health or safety of others.
- If the student has an Individualized Education Plan or a 504 Plan.
- The logical relationship between the offense and the consequence.
- The age-appropriateness of the consequence.

Corporal Punishment

The Board of Education prohibits, in any manner, the use of corporal punishment in the disciplining of any student. Corporal punishment is defined as physical punishment or undue physical discomfort inflicted on the body of a student for the purpose of maintaining discipline or to enforce school rules.

Suspension

Suspension is the denial of a student's right to attend school for violation of school system policy. A principal may suspend a student for 5 days or less. Suspension in excess of 5 days must be issued by the Superintendent or his/her designee.

Expulsion

Expulsion is the removal of a student from school, either for a specified period of time or permanently, as determined by the Superintendent or his/her designee.

APPENDIX II
Dignity for All Students Act (DASA) - Definitions Regarding Harassment

The Niagara Falls Board of Education prohibits harassment and discrimination against any student, whether by students or employees on school property or at a school function. This is in accordance with the Dignity for All Students Act (DASA).

No student shall be subjected to harassment by employees or students on school property or at a school function; nor shall any student be subjected to discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by students or school employees on school property or at a school function.

1. DEFINITIONS

Discrimination is the act of denying rights, benefits, justice, equitable treatment, or access to facilities available to all others, to an individual or group of people because of the group, class, or category to which the person belongs.

Harassment is the creation of a hostile environment by conduct, with or without physical conduct and/or verbal threats, intimidation, or abuse, of such a nature that:

- Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional, and/or physical well-being
- Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety

The behavior may be based on any characteristics, including but not limited to a person's actual or perceived:

- Race
- Color
- Weight
- National origin
- Ethnic group
- Religion
- Religious practice
- Disability
- Sex
- Sexual orientation
- Gender (including gender identity and expression)
- Hairstyle (in accordance with the Crown Act)

2. REPORTING AND INVESTIGATION

Alleged incidents involving possible student harassment are to be reported to those in charge, such as teachers and administrators. All reported complaints will be investigated as set forth in this Code of Conduct.

Incidents may be reported in verbal or written form. If it is deemed necessary, the student(s) may be required to write a formal statement for reporting purposes. Alleged incidents will be reviewed in a timely manner by designated school staff members.

3. ACTION

Each school building shall have trained staff members in prevention and intervention in the areas of student harassment and discrimination. The responses shall aim to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act.

School Counselors at each school will be trained to handle human relations in the areas of race, color,

weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression), and sex as required by the Dignity for All Students Act. They will use counseling and other methods to meet with students.

There will be a trained staff member at each school to serve as the Dignity Act Coordinator. This individual will ensure that reported incidents of student harassment or discrimination are investigated. If reported incidents are determined to be valid after proper investigation, student disciplinary action will be taken in accordance with the penalties and procedures outlined in the Disciplinary Action section of the Code of Conduct.

Refer to the Niagara Falls City School District's Website for each school's DASA coordinator (www.nfschools.net).

4. RESOURCES

Resources will be available on the District website to help promote a positive school climate. Information will be provided for parents, students, and staff members on recognizing and responding to student harassment and bullying. The District will continue its Character Education Program. Resources including the monthly traits of Character Education will be available on the District website and promoted at each school. Buildings will continue to use their school-wide positive behavior plans.

APPENDIX III
Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Education Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

   Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate.

   Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding he hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

   One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

   A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

   Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, SW
   Washington, DC 20202-4605

APPENDIX IV
Notification of Rights Under the Protection of Pupils Rights Amendment (PPRA)

The Protection of Pupils Rights Amendment (PPRA) affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

*Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED) –

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

*Receive notice and an opportunity to opt a student out of –

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

*Inspect, upon request and before administration or use –

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law.

The School District of the City of Niagara Falls, New York, will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The School District of the City of Niagara Falls, New York, will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The School District of the City of Niagara Falls, New York, will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The School District of the City of Niagara Falls, New York, will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

*Collection, disclosure, or use of personal information for marketing, sales or other distribution.

*Administration of any protected information survey not funded in whole or in part by ED.

*Any non-emergency, invasive physical examination or screening as described below.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW

Washington, D.C. 20202-590

APPENDIX V
Attendance Policy Summary

The overall objectives of the Niagara Falls City School District Attendance Policy are: to increase school completion for all students; to raise student achievement and close gaps in student performance; to know the whereabouts of every student for safety and other reasons; to improve student attendance; to verify that individual students are complying with education laws relating to compulsory attendance; to determine the District's average daily attendance for state aid purposes; to identify attendance patterns in order to assist those students who are identified as chronic truants, and, to develop an attendance program that students, parents, and staff will accept and value.

PowerSchool:

Daily attendance shall be collected by way of the district's adopted official attendance tracking software (PowerSchool). PowerSchool is an effective avenue for communication with administration, teachers, staff, parent/guardians and students to foster learning that extends beyond the classroom; electronic web based attendance tracking can occur instantaneously by way of Parent Portal.

Parent Portal:

A sub element of PowerSchool offers parents/guardians the opportunity to track student grades and attendance. Parent portal provides instantaneous feedback regarding student attendance (daily and class period). Parent portal is accessible on the Niagara Falls City School District webpage and a mobile app is available for download.

Attendance Taking Procedures for Power-School

- Maintenance of Electronic Register of Attendance
    i. Each student attending the Niagara Falls City School District shall have an individual register of attendance containing information required by law and regulations.

- Recording Attendance Grades K-6
    i. Each pupil's presence or absence shall be recorded after taking attendance once per school day.

- Recording Attendance Grades 7-12
    i. Each pupil's presence or absence shall be recorded after the taking of attendance in each period.
    ii. If pupils do not change classrooms for each period of scheduled instruction, each pupil's presence or absence shall be recorded after taking attendance once per school day.

- Persons Responsible
    i. Entries in register of attendance shall be made by a teacher or employee designated by the school building administrator.
    ii. Building administrators shall designate a teacher or other District employee to supervise the keeping of the register of attendance

Excused Absences

The Board of Education acknowledges the following reasons for excused pupil absences, tardiness, and early departures from school relating to a full or part of the school day:

1. Sickness
2. Serious illness or death in the family
3. Suspension
4. Medical or dental appointments
5. Impassable roads or extreme weather conditions
6. Approved educational trips
7. Approved college visits
8. Religious observances

9. Music lessons
10. Attendance in health clinics
11. Required court appearances
12. Military obligations
13. Approved cooperative work program
14. Emergency situations as approved by the building administrator

Unexcused Absences

The following are examples of pupil absences, tardiness, and early departures that will be considered unexcused:

1. Vacation with or without parents
2. Haircut
3. Obtain Learner's Permit
4. Oversleeping
5. Babysitting
6. Hunting/Fishing
7. Unlawful detention
8. Truancy

The Niagara Falls City School District will not deny course credit based on attendance.

To encourage student attendance, the District will develop and implement grade-appropriate/building-level strategies and programs.

Unexcused absences, tardiness and early departures will result in disciplinary sanctions as described herein. Consequences may include, but are not limited to, assignment to T.O.S.H, denial of participation in interscholastic and extracurricular activities, referring a compulsory age student to the Family Court Intake Division for Supervision by filing a PINS (Person in Need of Supervision) Petition, and referring a student over the compulsory age to the Superintendent for a transition hearing.

Students who illegally miss school or classes will have their parent or guardian notified by telephone by building attendance personnel.

Attendance personnel will send home a copy of the PowerSchool attendance report and a form letter to the parents or guardians of any student who illegally misses school days and/or classes. The letter will request a meeting with the student, parents or guardians and a school counselor when appropriate. At the meeting, various strategies will be developed or presented to assist the student in attending school and/or classes. To effectively intervene where an identified pattern of unexcused absences, tardiness or early departures occur, designated District personnel will pursue various intervention strategies as outlined in District Policy.

The Board of Education shall annually review the building level student attendance records and if such records show a decline in student attendance, the Board shall make any revision to the policy and plan deemed necessary to improve student attendance.

APPENDIX VI
Acceptable Use Policy: Student Use Of Computerized Information Resources

The Board of Education will provide access to various computerized information resources through the District's computer system ("DCS" hereafter) consisting of software, hardware, computer networks, and electronic communications systems. This may include access to electronic mail, so- called "on-line services," and the "Internet." It may include the opportunity for some students to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, shall be subject to this policy and accompanying regulations. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of the School District.

One purpose of this policy is to provide notice to students and parents/guardians that, unlike most traditional instructional or library media materials, the DCS will allow student access to external computer networks not controlled by the School District where it is impossible for the District to screen or review all of the available materials. Some of the available materials may be deemed unsuitable by parents/guardians for student use or access. This policy is intended to establish general guidelines for acceptable student use. However, despite the existence of such District policy and accompanying guidelines and regulations, it will not be possible to completely prevent access to computerized information that is inappropriate for students. Furthermore, students may have the ability to access such information from their homes or other locations off school premises. Parents/guardians of students must be willing to set and convey standards for appropriate and acceptable use to their children when using the DCS or any other electronic media or communications.

STANDARDS OF ACCEPTABLE USE

Generally, the same standards of acceptable student conduct, which apply to any school activity, shall apply to use of the DCS. This policy neither attempts to articulate all required and/or acceptable uses of the DCS, nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use as well as proscribed behavior.

District students shall also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.

Students who engage in unacceptable use may lose access to the DCS in accordance with applicable due process procedures, and may be subject to further discipline under the District's school conduct and discipline policy and the District Code of Conduct. The District reserves the right to pursue legal action against a student who willfully, maliciously or unlawfully damages or destroys property of the District. Further, the District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be School District property subject to control and inspection. The Administrator for Information Services may access all such files and communications to ensure system integrity and that users are complying with the requirements of this policy and accompanying regulations. Students should NOT expect that information stored on the DCS will be private. There is no expectation of privacy.

NIAGARA FALLS CITY SCHOOL DISTRICT – STUDENT COMPUTER USE AGREEMENT

Notification/Authorization

The District's Acceptable Use Policy and accompanying Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and student's obligations when accessing the DCS.

Student use of the DCS is conditioned upon written agreement by all students and their parents/guardians that student use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All such agreements shall be kept on file in the School Office. Regulations will be established, as necessary, to implement the terms of this policy.

Expectations of students include, but are not limited to, the following:

1. **Student Personal Safety**
   a) All student computer use must be supervised.
   b) Guidelines for Publication of Student Work on the Net

   The District is obligated to protect the privacy of its students from outsiders. Therefore, when District employees publish student work through use of the District Network Access, the following guidelines shall be followed:
   1. First name or initials shall identify students. No personally identifiable information about students shall be published.
   2. Pictures of students shall not provide information identifying any student.
   3. Student phone numbers, home addresses, and e-mail addresses shall not be published.
   4. The only address, phone number, or e-mail address, which may be published, is that of the school in care of the sponsoring teacher or the teacher's e-mail address at school.
   5. If personally identifiable information is to be released concerning a particular student, it will only be released after the parent signs a consent form to allow the release.

2. **Illegal or Destructive Activities**
   a) Students shall not go beyond their authorized access to the District network or other computer equipment or software including the files or accounts of others.
   b) Students shall not disrupt or attempt to damage or disrupt any computer, system, system performance, or data.
   c) Students shall not use District equipment to engage in illegal acts.

3. **System Security**
   a) Students are responsible for the security of their computer equipment, files, and passwords. They shall not share their user IDs or passwords.
   b) Students shall promptly notify a teacher of security problems.

4. **Inappropriate Conduct**
   The following conduct is prohibited when using any technical resource:
   a) Obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language;
   b) Potentially damaging, dangerous, or disruptive material;
   c) Personal or generalized harassment in violation of District policies; and
   d) False or defamatory information.

5. **Plagiarism and Copyright Infringement**
   a) Works may not be plagiarized.
   b) The rights of copyright owners are to be respected. Copyright infringement occurs when an individual inappropriately reproduces a work that is protected by copyright. If a student is unsure whether or not a work can be used, the copyright owner should be contacted for permission.
   c) Software copyrights and software licenses must be strictly respected.

6. **Inappropriate Access to Material**
   a) Technical resources shall not be used with material that is profane, obscene (pornographic), or advocates illegal acts, violence, or discrimination.
   b) Personal messages are not permitted. Students shall not use the District access to the Internet (including e-mail), nor shall they use any District created or District related web site to advertise any

private commercial ventures in which they have a financial or proprietary interest, or in which members of their families have financial or proprietary interests.

c) The use of Internet games, web chats, unauthorized software, or other instant messaging software (e.g. SnapChat, iMessage, etc.) is prohibited except when specifically authorized by the District Superintendent (or designee).

d) Inadvertent inappropriate access shall be reported immediately to a student's teacher.

7. Expectation of Privacy

a) Students have no expectation of privacy in files, disks, or documents that have been created in, entered in, stored in, downloaded from, or used on District equipment or resources.

8. Services and Assumption of Risks

a) Niagara Falls City School District makes no warranties of any kind, whether express or implied, for services provided and is not responsible for any damages suffered while on the system to include loss of data and inaccurate or poor-quality information obtained from the system. Users are responsible for backing up data stored on the hard drive of any computer assigned to them.

9. Discipline

a) Students who engage in unacceptable use may lose access to the District Computer System and may be subject to further discipline under the law or in accordance with the School Code of Conduct.

b) Deliberate violations of this agreement (e.g., malicious acts or omissions; searching for, viewing or otherwise visiting pornographic or sexually explicit sites) are cause for disciplinary action.

10. Unacceptable Uses

The following uses will be regarded as not acceptable:

a) Illegal or malicious use, including downloading or transmitting of copyright material.

b) Use of racial, sexual, or other harassment in violation of district policy.

c) To access, view, or transmit pornographic or obscene material.

d) To solicit personal information with the intent of using such information to cause emotional or physical harm.

e) To disrupt the work of other users. This includes the propagation of computer viruses and use of the Internet to make unauthorized entry to any other Internet resource.

f) Use for private commercial purposes.

g) To promote political views.

h) For personal use, for example, plan vacations, check personal stocks, gamble, casual surfing of the web, and on-line personal shopping, to name a few.

11. Etiquette

The following general principles should be adopted:

a) Be polite; do not be abusive in messages to others.

b) Use appropriate language. Remember that you are a student representative of Niagara Falls City School District and that you are using a public network.

c) Do not disrupt the use of the Internet for other users.

12. District Hardware and Software

a) Students assigned District hardware must take care of the equipment, ensuring its security when not in use. Students will be charged for damage to District hardware if it is determined care was not exercised. This includes laptops, printers, iPods or any other electronic hardware issued to the student. Appropriate serial numbers and identification of the assigned equipment will be obtained prior to student use. Informational services staff responsible for maintaining accurate records.

b) Only approved District software may be loaded on the District equipment.

APPENDIX VII
Dissemination and Review

The Board will ensure that the community is informed about the Code of Conduct by:

1. Posting the Code of Conduct on the School District website.
2. Providing all current teachers and staff members with a copy upon request.
3. Providing all new employees with the current Code of Conduct upon hiring.
4. Making copies available for students, parents, and community members to review.

Each year, the Code of Conduct will be publicized and explained to all students and distributed in writing to parents and guardians. A copy will also be kept in every school building for public review.

The Board of Education will review the Code annually and make updates as necessary. As part of this review, the Board will evaluate the effectiveness of the Code and whether it has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the Code and the District's response to Code of Conduct violations. This committee may include representatives of student, teacher, administrator, and parent organizations, as well as school safety personnel and other staff.

Before revising the Code, the Board will hold at least one public hearing to allow participation from school personnel, parents, students, and any other interested parties.

The Code of Conduct and any amendments must be filed with the Commissioner of Education no later than 30 days after adoption.