



CODE OF CONDUCT 2026 - 2027

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Dunkirk Board of Education

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Board of Education

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I. Introduction

Appropriate behavior in public settings is a requirement of life for members of any society. Public schools are instruments of society. Their purpose is to educate children and young adults of that society to become responsible, contributing members of the community.

It is our belief that proper and appropriate behavior and a safe, orderly, predictable environment are essential to the success of a school. To that end, it is our obligation to encourage, teach, and promote self-discipline, personal responsibility, dignity, and a respect for the rights and property of others.

It is the duty of the school district to formulate a Code of Conduct that serves to educate and protect all members of the school community. This code should state appropriate behavior and fair responses for inappropriate behavior. This code should conform to the standards and beliefs of the state and the community in which we live. It should address the major areas of appropriate student conduct as well as include flexibility that recognizes the differences in every situation. It should allow for an interpretation of the rules by an administrator that is appropriate to each situation at all grade levels. This code should encourage the creation of an optimal environment for teaching and learning.

It is the responsibility of the school board to interpret the values and standards of the community that should be reflected in the schools. It is the responsibility of the superintendent to implement the policies established by the board of education within the guidelines of State Education Law. It is the responsibility of each building principal to provide a climate in his/her building that encourages learning. It is the responsibility of each teacher, as the primary representative of the district with his/her students, to provide a safe, fair, and orderly classroom environment. It is the responsibility of each student to conduct himself/herself with dignity, self-discipline, and respect for the values of society and its members.

Unless otherwise indicated, this code applies to all students, school personnel, parents, and other visitors when on school property or attending a school function. As a guideline, the code may not cover every situation that occurs, every degree of behavior, or every variation in every given behavior intervention encounter. It is noted that any behavior that is illegal, which interferes with the learning of others, or that compromises the safety of any member of the school community is considered a violation of the code, whether or not specified in the code.

It is the desire of the Board of Education of the Dunkirk City School District that this Code of Conduct clarifies and encourages appropriate behavior, helps ensure the safety and security of all members of the school community, and promotes an educational climate that advances teaching and learning.

Our Mission

Maximize potential for all students at all times....**Whatever it Takes**

Our Vision

We will provide students with the opportunities to develop the skills they need to pursue life's goals and to participate fully as independent, informed, and productive members of society

Our Belief Statements

The Board of Education and the Dunkirk community believe that:

- All students can learn
- Trust and mutual respect are essential
- Literacy and Numeracy are the foundation of all learning
- Research and data are at the heart of all decision-making
- We are partners in learning with our families
- We all must be flexible to meet the needs of students and our community

Guiding Principles

This Code of Conduct is built on the following guiding principles:

- Respect
- Accountability
- Repairing Harm
- Citizenship
- Integrity
- Growth through reflection, action, and academic success

Board Commitment

The Dunkirk Board of Education ("Board") is committed to providing a safe and orderly school environment where students may receive, and District personnel may deliver, quality educational services without disruption or interference. Responsible



behavior by students, teachers, other District personnel, parents, and other visitors is essential to achieving this goal.

The District's expectations for conduct on school property and at school functions, on and/or off site, are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. It is essential that a safe learning environment be afforded to all students — one that is free from discrimination and harassment on the basis of, but not limited to, actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender identity, gender nonconformity, and gender expression.

The Board recognizes the need to clearly define these expectations for acceptable conduct, identify the possible consequences of unacceptable conduct, and ensure that discipline, when necessary, is administered promptly, fairly, and with an emphasis on restoring the learning environment. Unless otherwise indicated, this Code applies to all students, school personnel, parents, and other visitors when on school property or attending a school function.

Harassment Reporting Guidelines

The District wants every student, family member, and staff member to know exactly where to bring a concern:

Type of Concern	Who to Contact
Student-to-student harassment, bullying, or discrimination	School counselor or any trusted staff member
Adult-to-student harassment, bullying, or discrimination	Building principal
Adult-to-adult harassment, bullying, or discrimination	District's Title IX/DASA Coordinator for your building

- An anonymous tip line is available through the District website for any concern a student or family member does not feel comfortable reporting by name.
- Sandy Hook Promise: 1-844-5-SAYNOW or <https://www.sandyhookpromise.org/say-something-tips/>

School	DASA Coordinator
School 3	Ana Eckenwiler - Principal
School 4	Kisun Peters - Principal
School 5	Corinna Hooge - Principal
School 7	Angie Penhollow - Principal
Intermediate School	Kim Texter - Principal
Dunkirk Middle & High School	Corey Markham - Director of Secondary Education
District	Rebecca Leone - Executive Director of Academic Programs and Data

Title IX Coordinator	
Nichole Dispense	Director of Health Related Services
Jennifer Sobilo	Director of Pupil Personnel Services



II. Student Rights and Responsibilities

The role of any school is to foster growth in social, academic, and personal responsibility for all of its students. To accomplish this, all members of the school community must assume courteous, respectful, and responsible behavior.

The Board recognizes that students learn best when adults in their environment are positive role models, differences are unconditionally accepted and celebrated, and expectations for excellence are clearly defined and consistently enforced.

Students' Rights	Students' Responsibilities
To a free public education in the least restrictive environment.	To attend school every day unless legally excused, and to be in class, on time, and prepared to learn.
To a classroom atmosphere that is orderly and conducive to learning.	To conduct oneself in a manner that contributes to the class's ability to learn, respecting oneself and others in class, on school grounds, on buses, and at school-related activities.
To be respected as an individual and treated fairly and with dignity by all members of the school community.	To treat oneself, others, and property with respect, and to dress appropriately for school and school functions.
To receive high-quality instruction that addresses individual learning needs.	To work toward meeting the goals and objectives of the curriculum and to ask questions when something is not understood.
To feel secure in one's personal safety and integrity.	To respect the rules, regulations, and procedures of the District; to seek help in solving problems that might lead to behavior intervention; and to report observed violations.
To experience professional and ethical relationships with all staff.	To conduct oneself appropriately toward staff and contribute to a respectful school environment; to seek help when needed.
To express oneself in a socially acceptable manner.	To respond to direction from teachers, administrators, and staff in a respectful, positive manner, and to work on developing self-control.
To organize, promote, and participate in student activities and clubs recognized by the school.	To participate to the fullest extent of one's interest and ability, and to represent the District with the highest standards of conduct and sportsmanship.
To know the school rules and their consequences.	To become familiar with and abide by school rules, regulations, and procedures, and to be truthful and accountable for one's words and actions.
To a clean, well-maintained educational facility.	To contribute to a safe and orderly school environment and to show respect toward other persons and property.
To be able to report violations of this Code without fear of retaliation.	To respect the rights of others and act in an honest and civil manner.
To an environment free of intimidation, harassment, or discrimination.	To demonstrate conduct that fosters civility, kindness, and acceptance, and that is free of harassment and discrimination.

III. Roles of Essential Partners

Parents, Guardians, and Caregivers are expected to:

- Recognize that a child's education is a shared responsibility between family and school.
- Send their children to school ready to participate and learn, attending regularly and on time.
- Notify the school when and why their child is absent, and keep contact information current.
- Ensure their children are dressed and groomed consistent with the Student Dress Code.
- Help their children understand that appropriate rules are necessary to maintain a safe, orderly, harassment-free environment, and know the school rules well enough to reinforce them at home.
- Build respectful relationships with teachers, staff, and other families.
- Inform school officials of any changes in circumstances that may affect a student's conduct or performance.
- Support their child's participation in restorative conversations used to resolve conflict.

Educators (Teachers) are expected to:

- Maintain a classroom environment that is safe, respectful, and conducive to learning.
- Know and consistently, fairly enforce the Code of Conduct and other District policies.
- Address misbehavior calmly and consistently, using it as a teaching opportunity where appropriate.
- Maintain professional, appropriate boundaries with students at all times.
- Communicate regularly with families about both academic progress and behavior.
- Participate in restorative practices and community-building activities within the classroom.

School Counselors, Social Workers, and School Psychologists are expected to:

- Show care and interest in each student's growth.
- Know and apply the Code of Conduct consistently and fairly, holding students accountable for expectations.
- Keep personal and family information confidential in accordance with FERPA.
- Provide services in compliance with IDEA, Section 504, and applicable Commissioner's Regulations.
- Help students manage peer pressure and personal, social, and emotional challenges.
- Use restorative practices to build skills and support student growth.

- Report safety concerns promptly, as required by District policy and state law.

Other School Staff (aides, clerical, custodial, food service, and similar staff) are expected to:

- Know and follow the Code of Conduct and District policies fairly and consistently.
- Model respect, responsibility, and integrity for students.
- Help maintain a safe, orderly, and welcoming school environment.
- Keep student and family information confidential under FERPA.
- Report safety concerns to administrators promptly.
- Treat students with dignity and respect.



Principals / Building Administrators are expected to:

- Promote a safe, orderly, and stimulating school environment for all school community members.
- Ensure students and staff can communicate regularly with the principal and seek redress of complaints or grievances.
- Review and enforce the Code of Conduct, ensuring all cases are resolved promptly and fairly.
- Act as role models and maintain appropriate, professional boundaries with students.
- Maintain confidentiality and respect students' and families' privacy rights.
- Ensure equity and that all students are treated fairly.

Dignity for All Students Act (DASA) Coordinators are expected to:

- Serve as the lead person in each building responsible for implementing DASA.
- Complete required training on human relations and the protected classes under the Dignity Act.
- Be accessible to students and staff for consultation and guidance.
- Accept reports of harassment, bullying, and discrimination, and conduct investigations as appropriate.
- Maintain a professional, ethical relationship with students and all District stakeholder groups.

Superintendent of Schools is expected to:

- Promote a safe, orderly, and stimulating school environment for all school community members.
- Review District administrative policies and applicable state/federal law relating to school operations.
- Work with administrators to enforce the Code of Conduct promptly, fairly, and equitably.
- Provide the Board with annual, NYSED-mandated reports summarizing student discipline.
- Address issues of discrimination or harassment, or any situation threatening the safety of a student or employee.

Board of Education Members are expected to:

- Promote a safe, orderly, and stimulating school environment for all school community members.
- Collaborate with student, teacher, administrator, and parent organizations, school safety personnel, and other staff to develop and maintain a clear Code of Conduct.
- Ensure that policies promote and reflect equity.
- Work with the Superintendent to address discrimination, harassment, or safety concerns.



IV. Definitions

The following terms are defined in alphabetical order for ease of reference.

Building Administrator: An administrator responsible for the supervision and management of a school building.

Bullying: Conduct involving an imbalance of power and a variety of negative acts — physical (hitting, kicking, taking belongings), verbal (taunting, name-calling), or psychological (spreading rumors, manipulating relationships, intimidation) — carried out repeatedly over time.

Cyberbullying: Bullying carried out through electronic means, including but not limited to email, instant messaging, text messages, social media, gaming platforms, or other online tools, whether or not it occurs on school property, when it creates a substantial disruption to the school environment.

Dangerous Weapon: A weapon, device, instrument, material, or substance that is used for, or is readily capable of, causing death or serious bodily injury, as further defined under Weapon below and consistent with the New York Penal Law.

Discrimination: Conduct that intimidates, harasses, or discriminates against a person based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender identity, or gender expression.

Disruptive Student: A school-age student whose behavior interferes with the educational process of their classmates or a teacher's ability to guide learning.

Gender: The socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate; includes a person's gender identity.

Gender Identity / Gender Expression: One's self-conception as male, female, or another gender identity, and the way a person represents or expresses that gender to others.

Harassment: Conduct that creates a hostile environment through verbal or physical threats, intimidation, or abuse that unreasonably interferes with a student's education or well-being.

Restorative Practices: An approach to resolving conflict and repairing harm that enables those who have been harmed to convey the impact to those responsible, and for those responsible to acknowledge and address that impact.

School Function: Any school-sponsored extracurricular event or activity, on or off school property, sanctioned or approved by the District.

School Property: All buildings, structures, athletic fields, playgrounds, parking lots, and land contained within the real property boundary line of a school, including school buses.

Violent Student: A student who commits or threatens an act of violence against a school employee or another person on school property or at a school function; who possesses,

displays, or threatens to use a weapon; or who knowingly and intentionally damages school or personal property of a person lawfully on school property.

Weapon: A firearm as well as any other device, instrument, material, or substance that can cause serious physical injury or death, including but not limited to a gun, pistol, revolver, shotgun, rifle, dagger, razor, switchblade, gravity knife, metal knuckles, box cutter, explosive, or incendiary device. This list is illustrative and not exhaustive.



V. Firearms & Weapons

Possession, purchase, sale, or distribution of a weapon on school property, on a school bus, or at a school function is strictly prohibited except by law enforcement officials acting within their official duties.

"Weapon" includes, but is not limited to: a gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, bb gunbullets, dagger, dirk, razor, stiletto, switchblade or Swiss Army knife, pocket knife, gravity knife, multi-tool, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, nunchucks, electronic stun gun, pepper spray or other noxious spray, firecracker(s), explosive or incendiary device or bomb, or any other instrument that can cause physical injury or death.

Any student who possesses, displays, or threatens to use a weapon on school property or at a school function is subject to disciplinary action up to and including a recommendation for a minimum one-calendar-year suspension, as required by the Gun-Free Schools Act and consistent with Section VIII of this Code. The Superintendent may modify this consequence on a case-by-case basis as permitted by law.

VI. Student Dress Code

The responsibility for student dress and general appearance rests with individual students and their parents or guardians. The Board of Education will regulate student dress only to ensure that students attend school or school-sponsored events in attire that meets health and safety standards and does not interfere with the learning process.

For example:

- Clothing and jewelry worn to make a political or religious statement will not be banned unless it is disruptive to the educational process, lewd, or offensive.
- Clothing, footwear, and jewelry that present a threat to a student's health and safety, or another student's health and safety, will be banned.
- Specific dress requirements may apply to activities where clothing and jewelry present a safety concern, such as science laboratories, physical education, technology classes, and interscholastic athletics.
- Clothing or materials that are obscene; advocate illegal action; promote or endorse the use of alcohol, tobacco, or illegal drugs; or that are libelous or disruptive to the school program will not be allowed.
- Ensure underwear is not visible

Students who violate the dress code will be required to modify their appearance and, if necessary, will be subject to progressive restorative discipline consistent with Section VIII.

VII. Discipline Code for Student Behavior

Students are expected to conduct themselves in an orderly manner, with proper regard for the rights and welfare of other students, District personnel, and other members of the school community, and for the care of school facilities and equipment.

Categories of Prohibited Conduct

Disorderly Conduct — Endangerment or harassment of others, or willful disruption of classes, school programs, or activities, including bomb threats, vandalism, or destruction of property.

Insubordination — Failure or refusal to comply with the reasonable requests of an administrator, teacher, or staff member, or with any school policy.

Physical Aggression — Fighting or aggressive physical contact in school, on school property, or at school-related events.

Disruptive Conduct — Behavior that interferes with the ability of the class or school community to function in an orderly way, including — but not limited to — running in hallways, obstructing traffic flow, repeatedly failing to follow reasonable staff directions, being unprepared for class, or engaging in any willful act that disrupts the normal operation of the school regardless of where the act occurs.

Inappropriate Behavior/Expression — Swearing, racial or sexual comments, abusive language, or similar behavior at any time, on school property or at school-sponsored events.

Alcohol / Other Drugs — Consuming, sharing, selling, buying, possessing, or being under the influence of alcohol, tobacco, nicotine products, CBD products, or other drugs at any time on school property or at school-sponsored events.

Hazing — Any conduct connected to initiation into a student organization or team that willfully or recklessly endangers the physical or mental health of any person.

Bullying / Harassment — Conduct involving an imbalance of power carried out repeatedly over time, or conduct creating a hostile environment through verbal threats, intimidation, or abuse.

Discrimination — Conduct that intimidates, harasses, or discriminates against any person based on a protected characteristic.

Cyber / Electronic Device Violations — Inappropriate or unauthorized use of technology including personal electronic devices such as smartphones, cell phones, smartwatches, smart glasses, tablets, laptops, cameras, or other wearable or portable devices to bully, intimidate, threaten, harass, or defame others, or to access non-academic content during instructional time. Such behavior may result in disciplinary action regardless of whether it occurs on school property when a nexus exists between the behavior and a substantial disruption to the school environment.

Weapons Violation — The possession, purchase, sale, or distribution of a weapon, as defined in Section V of this Code.

Sexual Activity / Sexual Harassment — Inappropriate behavior of a sexual nature, including unwanted advances, indecent exposure, or sexual contact on school property or at a school function.

VIII. Disciplinary Penalties, Procedures and Referrals

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

- The student's age (e.g., a child five (5) years of age may not receive the same consequences as a student sixteen (16) years of age, due to differences in developmental stage, understanding of causation, and comprehension of consequences).
- The nature of the offense and the circumstances that led to it.
- The student's prior disciplinary record.
- The effectiveness of other forms of discipline that have already been tried.
- Input from parents, teachers, and mental health staff, as appropriate.
- The student's understanding of the impact of their behavior.
- The student's independent act to repair harm from the behavior
- The impact on the overall school community.

Removal of a Disruptive Student

When a student's conduct substantially disrupts the classroom's ability to function, a teacher may remove that student from class consistent with Education Law and District procedure. Removal is treated first and foremost as a way of protecting instructional time for the rest of the class.

The District's goal is always to return the student to instruction, whether in the original classroom or through alternative educational programming, as quickly as safety and classroom order allow. A removed student must be offered educational programming and activities for the duration of the removal.



A Restorative, Self-Discipline Approach

The best discipline is self-imposed. Students must learn to assume and accept responsibility for their own behavior and for the consequences of their choices. District personnel who interact with students are expected to use behavior intervention action only when necessary and to place emphasis on students' ability to grow in self-discipline and through restorative practice. Restorative Discipline is treated as a teachable moment, with the ultimate goal of helping students who will not initially accept responsibility learn to do so over time.

Matrix of Disciplinary Measures — Levels of Response

Consequences are assigned using a graduated matrix so that responses are proportionate, consistent across buildings, and clear to students and families. Levels are determined based on circumstances and administrator discretion.

Level	When It May Apply
Level 1 — Classroom Support & Student Support Team	May be appropriate when a student has no prior incidents and classroom-based interventions have not yet been tried.
Level 2 — Building Administration	May be appropriate when classroom supports are already in place but the behavior continues to negatively affect the learning of the student or others.
Level 3 — Short-Term Suspension	May be appropriate when interventions and supports have been put in place but the behavior is repeated or escalating.
Level 4 — Long-Term Suspension Referral	May be appropriate when a student's behavior seriously affects the safety and welfare of others in the school.

This matrix is applied to each category of prohibited conduct listed in Section VII to determine a recommended range of response, with certain serious offenses (e.g., weapons, serious bodily injury, sexual assault) requiring mandatory referral to law enforcement regardless of level.

With progressive restorative consequences, we aim to help students:

- Understand why the behavior is unacceptable.
- Understand the harm the behavior caused and the impact that it has.
- Take responsibility for their action.
- Be given the opportunity to repair the harm caused by their behavior.
- Be given the opportunity to learn pro-social strategies and skills to use in the future.



Every reasonable effort should be made to correct misbehavior through interventions and other school-based resources. Interventions are essential because inappropriate behavior or violations of the Code of Conduct may be symptomatic of or more serious problems that students are experiencing, such as homelessness, poverty, trauma, and loss. It is imperative that school personnel be sensitive to any issues that may influence the behavior of students and respond in a manner that is most supportive of their needs. The Dunkirk City School District supports a trauma-sensitive schools' model which provides staff with professional development in responsive and supportive intervention strategies.

When student conduct becomes a disruption to the educational process, school staff and principals respond logically, appropriately, and consistently. Students who are found to have violated the District's Code of Conduct may be subject to the following consequences, either alone or in combination with one another. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student's right to due process.

- Verbal warning - any member of the District staff
- Written notification to parent - teachers, building administrators, Superintendent
- Written warning - teachers, building administrators, Superintendent
- Detention - teachers, building administrators, Superintendent
- Temporary removal from classroom by teacher (in accordance with provisions of the SAVE legislation) - teachers
- Monetary restitution for costs or damages incurred by the District as a result of the misconduct - building administrators, Superintendent
- Behavior Intervention Classroom - building administrators, Superintendent
- Suspension from transportation - building administrators, Director of Transportation, Superintendent
- Suspension from athletic participation - building administrators, Superintendent
- Suspension from social or extracurricular activities (i.e., to include, but not limited to, athletic contests or events, celebratory events, clubs, dances, graduation, moving up day, prom) - building administrators, Superintendent
- Suspension of other privileges (i.e., leadership positions, National Honor Society, student competitions, field trips) – building administrators, Superintendent
- Short-term (five days or less) suspension from school – building administrators, Superintendent, Board of Education
- Long-term (more than five days) suspension from school - Superintendent, Board of Education
- Permanent suspension from school – Superintendent, Board of Education

IX. Suspension from School

Suspension is a serious consequence, reserved for a student whose conduct endangers the safety, morals, or welfare of others, or otherwise substantially and continually interferes with the educational process. Suspension decisions rest primarily with building principals and the Superintendent, with the Board retaining ultimate authority.

Behavior Intervention Classroom- Restorative Practices

Dunkirk City School District is committed to a restorative approach to student behavior support that repairs harm, restores relationships, and supports students in returning to the classroom community ready to learn. When a student's behavior disrupts the learning environment, the Behavior Intervention Classroom (BIC) may be used as a supportive, structured space where students can reflect, reset, and engage in restorative conversations with staff.

Time in the BIC is intended to be purposeful and time-limited, focused on identifying the impact of the behavior, addressing underlying needs, and developing a plan for a successful return to class. Restorative practices, including community circles and one-on-one conferencing, are used alongside BIC placement to rebuild trust between

students, staff, and peers, reinforcing that student behavior support at DCSD is about growth and accountability rather than exclusion alone.

Principals and the Superintendent may place a student in the Behavior Intervention Classroom in lieu of suspension from attendance. The student and parent will be offered an informal conference to discuss the conduct and consequences, and the student will continue to receive classroom assignments with the support of a Teachers Assistant.

Short-Term Suspension (5 school days or less)

The school must tell the student and family what happened, why a suspension is being considered (Proposed), and give the family a chance to ask questions before the suspension



takes effect (Immediate - except where the student's presence poses an ongoing safety risk). Families who disagree with the decision may request an informal conference and, if still unsatisfied, may appeal in writing first to the Superintendent, then to the Board of Education, and finally to the Commissioner of Education.

Long-Term Suspension (more than 5 school days)

The family has the right to a fair hearing, the right to be represented, and the right to question witnesses and present evidence. The Superintendent (or a designated hearing officer) will issue a written decision, which may be appealed to the Board and, ultimately, to the Commissioner of Education.

Re-Entry

A re-entry meeting will occur for any student returning from a suspension. This meeting is an opportunity for a restorative conversation and to determine what additional supports, if any, would help the student succeed going forward.

Students with Disabilities

A student with a disability or presumed to have a disability may be suspended for violating school rules only in accordance with the procedures and safeguards set forth in state and federal law. A short-term suspension of ten days or less may be imposed in the same manner as it may with non-disabled peers, as described in the previous sections of this policy.

If a school suspends a student with disabilities for more than 10 consecutive school days in a row or for 11 total days in the same school year for discipline related to similar behaviors, a manifestation determination review must occur with the Committee on Special Education (CSE) before the 10-day threshold. The purpose of the review is to determine whether the behavior that led to the suspension was caused by the student's disability. If the CSE finds that the behavior leading to the suspension is related to the student's disability, no further suspension may be imposed for that similar behavior and the student must return to the placement they were in prior to the suspension. The exception to this return is when the CSE recommends a new placement or the behavior involves drugs, weapons, or inflicted serious bodily injury. In this case, the student may be suspended for up to 45 school days even if the CSE finds in the manifestation determination that the behavior leading to the suspension was related to the student's disability.

If within the course of the manifestation determination the CSE finds that the behavior leading to the student's suspension is not a manifestation of the student's disability, the student may be suspended beyond the ten-day threshold to the same extent as non-disabled peers.

X. Student Complaints and Grievance Procedures

Individual complaints and grievances will be handled according to the following guidelines:

- A student should first try to reach an informal resolution by discussing the concern directly with the appropriate teacher or staff member.

- If the concern is not resolved informally, the student (or a parent/guardian on the student's behalf) may bring the concern to the building principal.
- Where the law provides a specific appeal procedure (for example, student suspensions), that legal process will be followed. The general due-process appeal order for discipline matters is: building principal → Superintendent of Schools → Board of Education → Commissioner of Education of the State of New York.

XII. Physical Restraint

Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Physical restraint does not include a physical escort, brief physical contact, or redirection used to promote student safety, calm or comfort a student, prompt or guide a student while teaching a skill, or assist a student in completing a task.

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:

- Protect oneself, another student, a teacher, or any other person from physical injury.
- Restrain (Crisis Prevention Institute restraint) 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.

XIII. Corporal Punishment

Corporal punishment (BOE policy 7350, 7351) 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 protect oneself, another student, a teacher, or any other person from physical injury; to protect the property of the school or others; or to restrain or remove a student whose behavior interferes with the orderly exercise and performance of school District functions, if that student has refused to refrain from further disruptive acts.

A staff member who reasonably intervenes to protect a student or another person from harm, including physically separating students, blocking an assault, or otherwise acting to prevent injury, is acting within the scope of this exception and will not be subject to discipline for that intervention, provided the response was reasonable and proportionate to the threat.

Whenever a school employee uses physical force against a student, that employee must, within the same school day, make a written report to the building principal and the

Superintendent, describing the circumstances and notifying the student's parents. The District will file all complaints about the use of physical force with the Commissioner of Education in accordance with Commissioner's Regulations.

XIV. Student Searches and Interrogations

Questioning

Any school official authorized to impose a disciplinary consequence may question a student about an alleged violation of law or of this Code. Students are not entitled to a "Miranda"-type warning before being questioned by school officials, nor are officials required to contact a parent before questioning a student; however, school officials will always tell a student why they are being questioned.

Searches

In recognition of certain societal problems which may present themselves in our schools, the Board of Education authorizes the Superintendent of Schools, the Superintendent's designee, building principals and their designee to conduct searches of students and their possessions for an illegal matter or matter which otherwise constitutes a threat to the health, safety, welfare or morals of the students attending our schools.

In authorizing such searches, the Board acknowledges both state and federal constitutional rights which are applicable to personal searches of students and searches of their possessions (e.g., pocket contents, book-bags, handbags, etc.) Such searches shall not be conducted unless founded upon reasonable individualized suspicion.

In addition, the Board authorizes the Superintendent or the Superintendent's designee, building principal and their designee, to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the District Code of Conduct.

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

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individual(s), other than District employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, they make an admission against their own interest, or they provide the same information that is received independently from other sources. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate. Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that they possess physical evidence that they violated the law of the District code, or

get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

A. Student Lockers, Desks and other School Storage Places - Students shall be informed by the administration that school lockers are not their private property but the property of the District and that as such they may be opened and inspected from time to time by school officials. While recognizing the right to inspect students' school lockers without the necessity of obtaining students' consent is inherent in the authority granted school boards and administrators, school officials will exercise every safeguard to:

- Protect each student's Constitutional rights to privacy and protection from coercion.
- Emphasize that schools are educational rather than penal institutions, and resolve any doubts in the student's favor.

What Law Enforcement Can and Cannot Do

Law enforcement officials may be summoned to investigate alleged criminal conduct on school property, at a school-sponsored activity, or to maintain or restore order.

Administrators determine when law enforcement assistance is necessary. Generally, police may only interview a

student on school property without parental permission where a warrant has been issued, or for general investigative questions at the request of school administrators. When police question a student on school property, the school will ensure the questioning takes place privately, in the presence of an administrator and a parent or guardian, unless the parent/guardian gives verbal consent for the interrogation to occur in their absence.



XV. Visitors / Guests to School

All visitors to school buildings and grounds must report to the main office, sign in, and receive identification before proceeding elsewhere in the building. Visitors are expected to

state the reason for their visit and to comply with the reasonable directions of school staff at all times.

Guests attending school-sponsored events (such as dances, athletic contests, or performances) are expected to follow the same standards of conduct required of students and staff under this Code, including the prohibitions in Section XVI (Public Conduct on School Property). A visitor or guest who violates these expectations may be asked to leave and may be denied access to future events.



XVI. Public Conduct on School Property

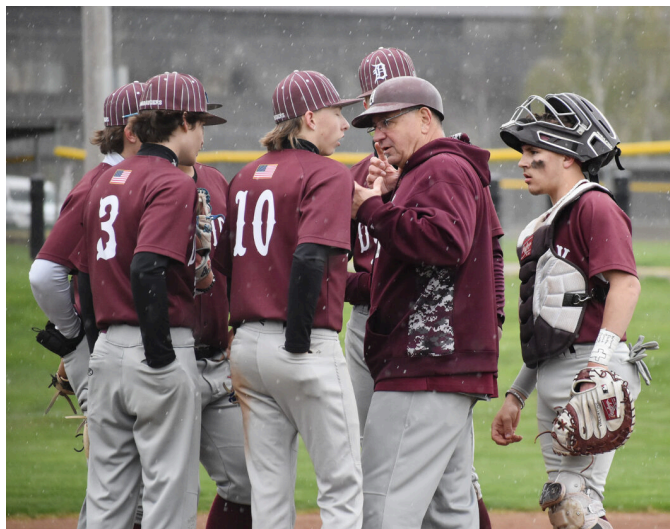
The Board of Education recognizes that the primary purpose of the District is to provide a superior atmosphere for learning. Any action by an individual or group aimed at disrupting, interfering with, or delaying the educational process is a violation of Board policy. This section is not intended to limit freedom of speech or peaceful assembly; its purpose is to maintain public order and prevent abuse of the rights of others.

Prohibited Conduct (including, but not limited to, the following):

- Intentionally injuring any person or threatening to do so.
- Engaging in harassing or discriminatory behavior.
- Intentionally damaging or removing District property.
- Using language or gestures that are profane, lewd, vulgar, or abusive.
- Disrupting the orderly conduct of the school, classes, or school activities.
- Entering school premises without authorization, or remaining after the building is closed.
- Possessing or using firearms or other weapons on school property or at a school function, except by law enforcement officers.
- Possessing, consuming, selling, or distributing alcoholic beverages or illegal substances on school property.
- Refusing to comply with a lawful order of an identifiable school official.

Consequences

A visitor who violates this section is subject to immediate ejection and, depending on severity, exclusion from school property. A student is subject to immediate ejection and disciplinary action consistent with Section VIII. Staff members are subject to disciplinary action consistent with applicable law and District policy (Education Law §3020-a, Civil Service Law §75, or other governing authority, as applicable).



XVII. Distraction-Free School Zones (Cell Phones & Personal Electronic Devices)

To protect instructional time and comply with NYS Bell to Bell, students are expected to keep cell phones, smartwatches, smart glasses, ear buds, air pods, headphones, and other personal, internet-enabled electronic devices off and out of sight during the instructional day, except as specifically authorized by a teacher or administrator, or as required by a student's IEP or 504 plan.

Enforcement and Consequences

Offense	Consequence
First Offense	Device confiscated. Parent notification. Warning. Returned to student at the end of the school day.
Second Offense	Device confiscated. Parent notification. Warning. Returned to parent.
Third Offense and beyond	Device confiscated. Parent notification. Additional school consequences. Returned to parent.
Refusal to Comply	Assignment to the Behavior Intervention Classroom for refusal to turn over a device when asked by an adult. A student's repeated refusal to comply may result in a requirement to place personal, internet-enabled devices in a secure storage space (e.g., a Yondr pouch) prior to the first bell of the school day; the pouch will be unlocked following the last bell of the day.



XVIII. Dissemination and Review

The Board will work to ensure that the community is aware of this Code of Conduct by:

- Providing copies of a summary of the Code to all students at the beginning of the school year.
- Providing the Code of Conduct on the District website for access by parents and community members.
- Providing all current and new staff members with a copy of the Code and any amendments.
- Providing copies of the Code available for review by students, parents, and other community members.

The Board will review this Code of Conduct at least annually and update it as necessary, considering how effective the Code's provisions have been and whether it has been applied fairly and consistently. Before adopting revisions, the Board will hold at least one public hearing at which school personnel, parents, students, and other interested parties may participate.



Appendix A: Restorative Practices Overview

Dunkirk City School District moves from punitive discipline toward accountability, repair, and reconnection — building relationships that prevent harm and restoring them when harm occurs.

THE CONTINUUM OF RESTORATIVE PRACTICES

PREVENTATIVE <i>build & maintain relationships • prevent conflict and harm</i>				RESPONSIVE <i>repair relationships • resolve conflict • manage disruptions</i>			
Identity • Celebrating background • Understanding causes of behavior	Classroom Practices • Routines & procedures • Trauma-informed climate	Community Building • Circle time • Relationship building	Curriculum • SEL / CASEL competencies • Restorative language	Affective / Conversation • Restorative chats • Scripted questions	Group or Circle • Problem-solving circle • Peer mediation	Formal Conference • Community conference • Serious incidents	Reintegration • Welcome-back circle • Re-entry meeting

THREE-TIER SYSTEM OF BEHAVIORAL SUPPORT

Tier	Who / Led By	Restorative Strategies	Behavior Support Path
TIER 1 Universal	All students — classroom teacher & aides	• Community-building circles • Positive classroom climate & PBIS • Check-In / Check-Out (CICO)	• Prevention-focused, applied to all students • Teaching & modeling desired behaviors
TIER 2 Targeted	At-risk students — classroom teacher, aides + Social Worker	• Peer mediation • Restorative problem-solving circles • Community service	• Small-group / individualized intervention • Home-school behavior plan
TIER 3 Intensive	Individual students — BIC Room, Social Worker, Counselor, Administrator	• Formal restorative conference • Family conferences / collaboration • BIC 5-Step restorative process	• Individualized, intensive, assessment-based support • Reintegration & welcome-back circle

Behavior Intervention Classroom (BIC): FIVE-STEP RESTORATIVE PROCESS

1 Enrollment in BIC Behavior contract, daily report card, estimated days to repair harm	2 Lessons Restorative & behavior reflection lessons assigned by Social Worker / Teacher	3 Taking Accountability Student discusses the incident and its impact on others	4 Repairing the Harm Restorative justice circle, written/verbal apology, acts of service	5 Restorative & Reconnection Recognition meeting; transition back with Welcome-Back Circle
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A RESTORATIVE ALTERNATIVE TO DETENTION (Grades 7-12)

Tier	Sessions	Infraction Type	Project Categories
Tier 1	1-3 sessions	Tardiness, dress code, minor disruptions, phone violations	Classroom support, campus beautification, light cleaning
Tier 2	4-6 sessions	Repeated Tier 1 offenses, minor vandalism, disrespect	Maintenance assistance, deeper cleaning, grounds work
Tier 3	7-10 sessions	Fighting, property damage, bullying, harassment	Restoration work, major cleaning/repair, mentorship

Why Restorative Practices Work

- Nearly 90% of students in restorative programs reported learning new skills; 86% reported using them to peacefully resolve conflicts.
- Schools using restorative practices report improved safety and relationships, with fewer students citing bullying as a serious problem.
- A multi-year study of a large urban district found a meaningful decline in suspension days after implementing restorative practices.
- Studies show reductions in both in-school and out-of-school arrest rates when restorative approaches replace exclusionary discipline.



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