Community Relations

SUBJECT: CODE OF CONDUCT

The District has developed and will amend, as appropriate, a written Code of Conduct for the maintenance of order on school property, and at school functions, which shall govern the conduct of students, teachers and other school personnel, as well as visitors. The Board shall further provide for the enforcement of such Code of Conduct.

For purposes of this policy, and the implemented Code of Conduct, school property means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the District's elementary or secondary schools, or on a school bus; and a school function shall mean a school-sponsored event, activity, or athletic contest, whether on school property or not.

The District Code of Conduct has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Rights and Responsibilities for Students, Parents, Staff and Visitors

All students, faculty, staff, parents and visitors shall behave in a manner consistent with the following standards and comply with the following regulations which shall govern the conduct of students, faculty, staff, parents and visitors upon District property.

a) No person shall, in accordance with applicable provisions of law, interfere with the freedom of movement and speech of any individual or group.

b) No person shall disrupt or interfere with classes, educational activities, service activities, extracurricular functions or any authorized event.

c) Materials from protests or demonstrations shall not be taken, without appropriate and lawful authority, into any building or room where a class, speech, or other school function is to take place.

d) No person shall, without appropriate and lawful authority, utilize or threaten physical force, physical harassment or physical obstruction, or intentionally cause bodily harm or endanger the health of any person.

e) No person shall incite or encourage physical violence by other persons or commit any of the acts herein prohibited.

f) No person shall, without appropriate and lawful authority, enter, occupy or remain in any classroom, office building or premise.

g) No person shall, without appropriate and lawful authority, impede or restrict reasonable and free access to, or exit from, any classroom, office building or premise.

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SUBJECT: CODE OF CONDUCT (Cont'd.)

h) No person shall intentionally or recklessly cause damage to, or be involved in, the theft of school property, or the property of any person where such property is located on school premises.

i) No person shall, without appropriate and lawful authority, invade the privacy of any school records, data or communications or any record, data or communication which is the property of, or in the possession of, another person.

j) No person shall, without prior permission of the District and in accordance with applicable provisions of law, possess, maintain or use an obnoxious, dangerous or apparently dangerous weapon, instrument or substance in or upon any building in the District or on school premises.

k) Upon the request of any school official or authorized public official, any person present in any building or on school property shall promptly identify himself.

l) No person shall interfere with or disrupt the orderly conduct of activities of the Board including, but not limited to, meetings of the Board, budget votes and elections.

m) No person shall commit any action which threatens the safety or welfare of persons in or on property to which the rules and regulations contained herein apply.

n) No person shall, in accordance with applicable provisions of law, violate another person's civil rights or behave in a manner that is abusive, either physically, verbally or in writing.

o) No person shall refuse to obey the directions of an administrator, faculty or staff member, or event supervisor.

p) No person shall discriminate and/or harass any student or employee on school property or at a school function. This includes conduct that creates a hostile environment with or without physical contact and/or by verbal threats, intimidation or abuse, of such a severe 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: or;

- reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex.

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SUBJECT: CODE OF CONDUCT (Cont'd.)

Student Bill of Rights and Responsibilities

In addition to the above, students at the District are guaranteed all rights provided by constitutional and statutory law, including the right to a free public education. Students also have the right and responsibility to:

a) Become responsible members of the community and to conduct themselves in a manner that will bring credit to themselves, their school and community.

b) Seek reasonable and realistic academic and social experiences within the school structure designed to protect the rights, property, and prerogatives of all.

c) Be free from actions that threaten their safety, welfare and right to education.

d) Develop and operate student government bodies within the schools that address issues and actions that concern contemporary students, and shape student governments into positive instruments of student involvement.

e) Share thoughts and debate issues and ideas that foster understandings in such a way that does not violate the rights of others to disagree.

f) Be accountable for their actions to school officials.

g) Be cooperative and assist school personnel in the investigation and identification of discipline issues, possibility of violent acts and/or intentions, and substance possession, use, distribution or sale.

The Student Bill of Rights and Responsibilities focuses on promoting positive student behavior and a positive school climate. The Student Bill of Rights and Responsibilities will be publicized and explained to students on an annual basis.

Student Conduct

The District has a number of policies regarding student behavior that is the basis of this code of conduct. Each building has age appropriate rules and expectations that are applicable in each building. The athletic department has training rules and an Athletic Code of Conduct that applies specifically to student athletes. All students shall comply with local, state and federal laws and statutes.

Speech, Dress and Action

All students shall maintain proper standards of speech, dress and action at all times.

(Continued)

SUBJECT: CODE OF CONDUCT (Cont'd.)

a) Speech

Profanity, vulgar, abusive, harassing and discriminating language is prohibited.

b) Dress

Students are expected to come to school appropriately dressed. Individuality in dress is a matter of personal choice, but it will not be permitted to interfere with, disrupt, or distract from the educational activities of the school. Clothing and/or accessories that promote or advertise the use of cigarettes, alcohol or illegal substances or behaviors is not appropriate. Items of clothing that present problems regarding safety, hygiene, or decency are not appropriate. For reasons of safety and hygiene, shoes must be worn at all times. Each building will determine appropriate guidelines and rules for student dress at their grade levels that meet the minimum standards of this code.

c) Action

All students shall conduct themselves courteously and adhere to mature standards of conduct on all school property, and at all school functions. All students shall treat school personnel, other students, and visitors with respect and in an acceptable civil manner. All students shall obey the reasonable requests and directions of any administrator, faculty member, staff member or event supervisor. Aggressive, disruptive, or violent behavior, including but not limited to, physical or verbal aggression, hazing, bullying, or other acts intended to intimidate other students, school personnel, or visitors is prohibited.

Definitions

For purposes of this policy; the following terms are defined.

Academic Honesty: Academic honesty is integral to the academic experience in school. All students shall do their own work at all times. Collusion, plagiarism and other forms of academic dishonesty are prohibited.

Bullying: A variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with a more powerful child or group attacking those who are less powerful. Bullying conduct includes, but is not limited to, harassment that is related to race, color, weight, ethnicity, national origin, religion, religious practices, sexual orientation, gender or sex, age, disability, and physical appearance. Bullying can take three forms:

- Physical (including, but not limited to, hitting, kicking, punching, spitting, pushing, taking personal belongings);

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SUBJECT: CODE OF CONDUCT (Cont'd.)

- Verbal (including, but not limited to, taunting, malicious teasing, name calling, making threats); and

- Psychological (including, but not limited to, non-verbal actions, spreading rumors, manipulating social relationships, or engaging in social exclusion, extortion, or intimidation.

Cyberbullying: Bullying that includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text or pager messages, digital pictures or images, or Website postings (including chat rooms or blogs). It may occur both on campus and off school grounds. It may involve student use of the District Internet System or student use of personal digital devices while at school, such as cell phones, digital cameras and personal computers to engage in bullying. Cyberbullying is unacceptable, and offenders shall be subject to appropriate staff intervention which may result in administrative discipline.

Disruptive Student: A "disruptive student" is defined as any student under the age of 21 who substantially interferes with the teacher's authority over the classroom or is substantially disruptive of the educational process on or off school property.

Firearms and Other Weapons: The possession or use of firearms and dangerous or apparently dangerous instruments or weapons on school properties or during school sponsored events is prohibited.

a) Firearm: For purposes of the Policy, the term firearm is defined as in 18 USC Section 921.

b) Other Weapons: For purposes of the Policy, the term weapon shall include any dangerous or deadly instrument which can cause death, injury or damage to a person or property including, but not limited to, BB gun, pellet gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb.

Harassment: Means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being. Harassment also includes conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a

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SUBJECT: CODE OF CONDUCT (Cont'd.)

student to fear for his or her physical safety. Such conduct, verbal threats, intimidation or abuse includes, but is not limited to, conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law #11(7)).

Hazing: Any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate. Hazing behaviors include, but are not limited to, the following general categories:

- Humiliation (socially offensive, isolating or uncooperative behaviors);
- Substance abuse (abuse of alcohol, tobacco or illegal drugs); or
- Dangerous hazing (hurtful, aggressive, destructive, and disruptive behaviors).

Incorporated within this definition are various forms of physical, emotional and/or sexual misconduct which may range in severity from teasing/embarrassing activities to life-threatening actions.

It is important to note that a single negative act as enumerated above may also constitute "bullying" or "cyberbullying" (if not more serious misconduct) based upon the particular circumstances such as the seriousness of the act and/or the intent of the actor. Administration will use discretion reviewing each incident independently in the context of the situation.

Illegal Substance, Possession and/or Use: The use, sale, possession, or distribution of alcohol, inhalable substances (i.e. e-cigarettes or other drug delivery device), illegal drugs, synthetics, drug paraphernalia or the inappropriate use of prescription drugs and/or over the counter drugs, or any substance used for other than its intended purpose, on school property or during school functions is prohibited.

Theft and Vandalism: Students involved in acts of theft, vandalism or destruction of District property will be subject to discipline by school authorities and legal action. Students shall also be subject to discipline by District authorities and legal action for similar acts involving the property of other individuals while on school property or during school sponsored events.

Tobacco or Tobacco – Related Products: The use, sale, possession or distribution of tobacco or tobacco-related products on school property or during school functions is prohibited.

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SUBJECT: CODE OF CONDUCT (Cont'd.)

Violent Students: A violent pupil is an elementary or secondary student under twenty-one years of age who commits an act of violence upon another student, a teacher, administrator, school employee, or person lawfully on school property; possesses or displays a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death; threatens to use any instrument that appears capable of causing physical injury or death; or knowingly and intentionally damages or destroys school district property or the personal property of a student, teacher, administrator, or school district employee.

Building Procedures Involving Pupil Service Personnel, Administrators, Teachers, Parents and Students

All members of the school community are expected to identify potential and actual discipline problems as they occur in the school building, on or about school property, or at school functions. School personnel should either deal directly with the problem or refer it to an appropriate member of the staff, counselors and/or administrators. Students and parents are encouraged to communicate information about behavioral problems to an appropriate member of the staff. Students are expected to be cooperative and assist school personnel in the investigation and identification of discipline issues in violation of this Code of Conduct.

a) An appropriate staff member will resolve the problem immediately by following District policy and building procedures.

b) Referral cases which are not resolved immediately and are in need of further inquiry and/or information, shall be dealt with by an administrator, counselor or other staff member. This inquiry process may include information from students, staff members, parents, and community resources. Resolution of the problem may involve group interaction: (e.g., by Pupil Service Team, building administrative team, etc.)

c) Where required by law, and under such other circumstances as are deemed appropriate by school authorities, problems involving the breaking of local, state and federal laws shall be reported to the appropriate legal authority.

Enforcement

a) It shall be the duty of the administrator, teaching staff member, sponsor or other person responsible for a school activity to make an initial determination as to whether the conduct of any person violates the policies of the Board or administrative rule or regulation.

b) The person making the initial determination of such a violation may take immediate and appropriate action to abate the violations and, if authorized, may further administer appropriate disciplinary measures at the time such violation is determined. Such individual

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SUBJECT: CODE OF CONDUCT (Cont'd.)

may defer a determination of the appropriate disciplinary measures for a reasonable period of time for further investigation and action by building administration.

c) The respective Building Principals, or their designees, shall have responsibility for the review of the findings of the alleged violation of these policies and, insofar as authorized by law, shall have the authority to administer appropriate discipline for violations.

d) Insofar as permitted by law, the Board does hereby delegate to the Superintendent its authority in the administration of these policies. The Superintendent shall be charged with the responsibility of maintaining order and discipline in the schools of the District, and further to carry out the policies of the Board so as to secure the best educational results and the maintenance of public order. In such capacity, the Superintendent shall hear and determine appeals from decisions of other District authorities as to violations of these policies and the disciplinary measures resulting there from, and shall have further authority to modify or impose other disciplinary measures as she shall deem appropriate.

e) The Board shall hear and determine appeals from decisions of the Superintendent for suspensions that are over five (5) days in length.

Disciplinary Action

a) Violation by Students - A student who has been found in violation of this policy shall be subject to such disciplinary action as set forth under the "Penalties" section as deemed appropriate under the circumstances. If the student is a student-athlete and the violation is also an infraction of the training rules, the student-athlete shall be subject to penalties under the Athletic Code of Conduct. Parents will be notified either orally or in writing, by the Principal or his/her designee, depending on the nature of the violation. It is the policy of the Board that disciplinary problems are handled promptly and appropriately by the District representatives most directly concerned, and that building principals and the Superintendent be involved only in more serious disciplinary problems.

b) Violation by Staff Members - Faculty and staff members found in violation of the policies of the Board are subject to dismissal, suspension, termination or other disciplinary action. Disciplinary action involving faculty and staff members shall be consistent with the provisions of the New York Education Law, New York Civil Service Law, and applicable collective bargaining agreements.

c) Violation by a Visitor - Any visitor who is deemed to be in violation of this policy shall be informed of the alleged violation and asked to desist. If necessary, the person may be asked to leave the District property and upon failure to do so, or if otherwise deemed appropriate, law enforcement authorities may be called upon to assist.

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SUBJECT: CODE OF CONDUCT (Cont'd.)

Penalties and Use of Outside Agencies

It is the policy of the Board that all disciplinary measures employed by persons enforcing the policy have as their objective the maintenance of public order on school property. Disciplinary measures shall be just and, insofar as possible, shall be suitable to the individual. Law enforcement authorities shall be summoned to school grounds as required by law or when deemed necessary by the building administrator.

The following disciplinary measures are among those deemed appropriate. The list is not intended to be exhaustive.

The disciplinary measures for students may include one or more of the following activities:

a) Individual appropriate action by teacher, administrator or event supervisor
b) Parent conference-collaborating effort between school and parent to solve problem
c) Detention or after-school time
d) Removal from a class by a teacher
e) Removal from a class by an administrator
f) Loss of privileges
g) Suspension of bus privileges
h) In-school detention
i) Saturday detention
j) In-school suspension
k) Out-of-school short term suspension (up to 5 days)
l) Out-of-school long term suspension (more than 5 days)
m) Expulsion
n) Involvement of appropriate legal agencies and actions
o) Restitution

While the District cannot mandate penalties other than those listed above, administrators, in consultation with parents and students, may agree to alternative actions such as, but not limited to, community service activities, counseling, mediation or referral to a medical professional or referral to the Pittsford Youth Court. The District will follow required procedures for juvenile delinquency petitions, PINS proceedings, and/or criminal proceedings as necessary and appropriate.

Teacher Removal of a Student from a Class

A teacher may remove a disruptive student from a classroom for up to two days in accordance with procedures described in administrative regulations 3410R. No such student shall return to the

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SUBJECT: CODE OF CONDUCT (Cont'd.)

classroom until the Principal makes a final determination pursuant to Education Law Section 3214(3-a)(c) or the period of removal expires, whichever is less.

For those disciplinary measures which remove a student from classroom instruction, provisions will be made to provide continued academic support.

Specific Disciplinary Measures and Minimum Periods of Suspension

While the following minimum periods of suspension are established, the suspending authority has the discretion to modify the minimum period on a case-by-case basis, considering any of the following:

- age of student
- the student's prior disciplinary record
- the Superintendent's belief that other forms of discipline may be more effective
- input from teachers, parents and/or others
- other extenuating circumstances

a) Possession or use of a firearm will result in a five-day out-of-school suspension, Superintendent's Hearing with a one-year suspension, and referral to legal authorities.

b) Possession or use of a weapon other than a firearm will result in a five-day out-of-school suspension, and may include a referral to a Superintendent's Hearing for consideration of a long-term suspension. The student may also be referred to legal authorities.

c) Bomb threats will result in a five-day out-of-school suspension, a Superintendent's Hearing with a one-year suspension, and referral to legal authorities.

d) Violent behavior, the use of physical force, threats, or acts of violence toward other students, will result in a five-day out-of-school suspension and may include referral to a Superintendent's Hearing for consideration of a long-term suspension. The student may also be referred to legal authorities.

e) Violent behavior, the use of physical force, threats, or acts of violence toward staff, will result in a five day out-of-school suspension and referral to a Superintendent's Hearing for consideration of a long-term suspension. The student may also be referred to legal authorities.

f) Repeated substantially disruptive behavior will result in a two-day suspension, in school or out of school, to be determined by the Principal. For purposes of this code, repeated substantially disruptive behavior means engaging in conduct that results in the student being removed from

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SUBJECT: CODE OF CONDUCT (Cont'd.)

the classroom by the teacher pursuant to regulation 1520R on three or more different occasions during a semester, or four or more different occasions during a school year.

g) Possession or use of alcohol, tobacco (smoke or smokeless), inhalable substances, illegal drugs, synthetics, drug paraphernalia or the inappropriate use of prescription drugs and/or over the counter drugs or any substance used for other than its intended purpose, will result in a five day out-of-school suspension. Repeat offenders may be further referred to a Superintendent's Hearing. Possession of illegal drugs will be reported to legal authorities.

h) Sale, or distribution, of alcohol, tobacco (smoke or smokeless), inhalable substances, illegal drugs, synthetics, drug paraphernalia, the inappropriate use of prescription drugs or over the counter drugs (when intended use is in violation of District policy), or any substance used for other than its intended purpose, will result in a five day out-of-school suspension, a Superintendent's Hearing for consideration of a long-term suspension, and referral to legal authorities.

i) Vandalism, or the willful or malicious destruction of public or private property, will result in suspension, in school or out of school, based on the particular circumstances and as determined by the Principal. Restitution may be pursued, and the student may be referred to legal authorities.

j) Violation of civil rights will result in suspension, in school or out of school, based on the particular circumstances and as determined by the Principal.

k) Violation of the District Electronic Information Network Policy may result in a five-day suspension, referral to a Superintendent's Hearing, and legal action.

l) Harassment, including but not limited to, bullying, cyber-bullying or hazing may result in up to a five day suspension, in school or out of school, and may include a referral to a Superintendent’s Hearing for consideration of a long term suspension upon review of the intent and planned nature of the bullying, harassment or hazing, as determined by the Principal.

A student who is suspended from school may not participate in any extracurricular activities on or off school grounds, including sporting events, field trips, intramurals, or other school sponsored activities.

Persons determining disciplinary measures are encouraged to use appropriate innovative remedial measures toward the end of obtaining mature personal growth and securing willing cooperation with the policies of the Board and the maintenance of order on District property. Insofar as specific procedures are mandatory prerequisites to the administration of disciplinary measures, those procedures shall be followed.

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SUBJECT: CODE OF CONDUCT (Cont'd.)

Discipline Procedures for Students with Disabilities

The District will comply with all state and federal laws regulating discipline procedures for students with disabilities.

The disciplinary procedures for students with disabilities have been developed to:

a) Promote early intervention and avoid escalation of behavioral or other adjustment problems;

b) Examine and respond to behavior as it relates to the disability; and

c) Provide for modifications of instructional program, services and/or placement, in an expedited fashion to avoid disruption of the student's education.

It is intended that behavior which is related to the disability and does not present a serious danger to self or others, should be dealt with through modification of the instructional program, behavior support plan, services, or placement rather than the suspension process. This would include conferences among the teacher, Special Education Teacher, Administrator, and the parent to attempt to resolve the problem. It may result in a referral to the Committee on Special Education or modifications within the existing program which do not affect the Individualized Education Plan.

Where the behavior is not related to the disability and/or the behavior does present a serious danger to self or others, the short-term suspension process may still be used.

These procedures have been developed to avoid prolonged periods of time without any instructional program for students and/or to minimize the staff time involved in the long-term process. (Refer to administrative procedures concerning students with disabilities).

Alternative Educational Programs

Any or all alternative educational programs approved by the New York State Education Department will be considered as to their appropriateness based on the needs of a pupil. These will be considered on a case-by-case basis.

Rights of Appeal

Insofar as permitted by law, authority for the implementation of the Board policy on school conduct and discipline is delegated to the Superintendent. Any individual aggrieved by a finding of violation of this policy, and/or the disciplinary measures resulting there from, may appeal to the Superintendent.

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SUBJECT: CODE OF CONDUCT (Cont'd.)

Such appeals must be in writing and submitted to the Superintendent within thirty (30) days of the initial decision to be appealed. The Superintendent shall review and decide the appeal within thirty (30) school days following its submission. The appeal may be determined solely upon written papers or such further investigation as the Superintendent, in the Superintendent's sole and unrestrained discretion, shall deem pertinent to the questions presented on appeal.

The District shall ensure that all District staff members are familiar with the content of the District's Code of Conduct and their responsibility in its implementation and enforcement through annual staff and new teacher orientation meetings.

The Code of Conduct will have been adopted by the Board only after at least one public hearing that provided for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. Copies of the Code of Conduct shall be disseminated pursuant to law and Commissioner's Regulations.

The District's Code of Conduct shall be reviewed on an annual basis, and updated as necessary in accordance with law. The Board shall reapprove any updated Code of Conduct or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties.

The District shall file a copy of its Code of Conduct and all amendments to the Code with the Commissioner of Education no later than thirty (30) days after their respective adoptions.

Education Law Sections 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law Section 142
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(1)(2)

Note: Refer also to Policies - #5640 Smoking/Tobacco Use
#7310 School Conduct and Discipline
#7320 Alcohol, Tobacco, Drugs, and Other Substances
#7360 Gun Free Schools
#3412 Threats of Violence in Schools

Pittsford Central School District Adopted: 1/27/86, 9/14/88, 9/25/89, 9/10/90, 4/8/96, 12/11/00, 6/25/01, 7/7/04, 6/20/05, 6/26/06, 6/25/07, 6/23/08, 6/22/09; 7/12/10; 7/11/11; 6/25/12; edited 10/17/12, 6/24/13