

CODE OF CONDUCT

Introduction

The Board of Education 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.

In conjunction with this mandate, it is the Board's belief that in order to teach each student how to develop as a responsible citizen within society, the school must clearly define the values and ideas by which personal and group conduct is judged. Toward that end, we believe the Newfane schools should foster a disciplined environment which will guide each individual in developing a firm code of moral conduct and a respect for the dignity of others.

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity.

The schools will foster the idea that each student should be treated as a person who can be expected to be responsible for his/her behavior. Students who cannot accept this responsibility, and who violate school rules and regulations, will be treated fairly and in an impartial manner in order to maintain the most conducive atmosphere for learning.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly.

A positive learning environment in our schools, and a good state of discipline starts with all involved – students, parents, and staff – having knowledge and understanding of the District's zero tolerance policy, basic standards of acceptable conduct, and the procedures for dealing with disciplinary problems. We expect all partners to demonstrate respect and work in a collaborative effort. To this end, the Board adopts this code of conduct.

Definitions

For the purposes of this code, the following definitions apply:

- ★ "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
- ★ "Cyber-bullying" means harassment/bullying, as defined below, through any form of electronic communication.

- ★ “Disability” means (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 or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law § 292[21]).
- ★ “Discrimination” means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including but not limited 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.
- ★ “Disruptive student” means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.
- ★ “District” means the Newfane Central School District including the Board of Education as its governing body.
- ★ “Emotional harm” that takes place in the context of ‘harassment or bullying’ means harm to a student’s emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education.
- ★ “Employee” any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant title 9-B of article 5 of Social Services Law and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contact (Education Law §11[4] and §1125[3]).
- ★ “Firearm” as defined in federal law, means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such weapon; any firearm muffler or silencer; or any “destructive device” (e.g. any explosive, incendiary, or poison gas, including bombs, grenades, rockets or other similar devices).
- ★ “Gender” means a person’s actual or perceived sex and includes a person’s gender identity or expression (Education Law §11[6]).

- ★ “Harassment/Bullying” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyber-bullying as defined in Educational Law 11[8], 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
 - Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety
 - Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student
 - Occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

For purposes of this definition, the term ‘threats, intimidation or abuse’ shall include verbal and non-verbal actions. (Education Law §11[7])

- ★ “Illegal drugs” means controlled substances except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
- ★ “Parent” means parent, guardian or person in parental relation to a student.
- ★ “Person in or with authority” means any school employee or adult in a supervisory role.
- ★ “School bus” means 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 and from school and school activities (Education Law §11[1] and Vehicle and Traffic Law §142).
- ★ “School function” means any school-sponsored extracurricular event or activity.
- ★ “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 a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.
- ★ “Sexual Orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).
- ★ “Violent student” means a student under the age of 21 who:

- Commits an act of violence upon a school employee, or attempts to do so.
- Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
- Possesses while on school property or at a school function, a firearm or weapon.
- Displays, while on school property or at a school function, what appears to be a firearm or weapon.
- Threatens, while on school property or at a school function, to use a firearm or weapon.
- Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
- Knowingly and intentionally damages or destroys school district property.

★ “Weapon” means, but is not limited to any BB gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, can sword, electronic dart gun, Kung Fu star, electric stun gun, pepper spray or other noxious spray, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

Student Rights and Responsibilities

A. Student Rights

The district is committed to safeguarding the rights given to all students under state and federal law. In addition, to promote a safe, healthy, orderly, and civil school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, gender or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the consequence.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
4. Express his/her opinions and/or grievances verbally or in writing, including addressing the Board of Education on the same terms as any citizen.

B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.

3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement.
5. React to directions given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Ask questions when they do not understand.
7. Seek help in solving problems that might lead to discipline.
8. Dress appropriately for school and school functions.
9. Accept responsibility for their actions.
10. Conduct themselves as representatives of the Newfane Central School District when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

Essential Partners

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are properly excused. A note must be submitted each time a student is late or absent, even if a parent has called.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, school staff, other parents and all educational stakeholders.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Guide their children from the earliest years to develop socially acceptable standards of behavior, to exercise self-control, and to be accountable for their actions.
14. Teach their children, by word and example, self-respect, respect for the law and respect for others and public property.
15. Listen to views and observations of all parties concerned before formulating a decision on a discipline situation.

16. Recognize that teachers are legally acting in place of parents, and deserve consideration and respect from their children.
17. Attend parent-teacher conferences and school functions.
18. Maintain confidentiality regarding student matters.

B. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan
6. Communicate regularly with students, parents, and other teachers concerning growth and achievement and to use Parent Portal where/when appropriate
7. Maintain student confidentiality.
8. Form appropriate relationships with students and their families
9. Act in a professional manner at all times
10. Dress appropriately while at work

C. Guidance Counselors

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit to the fullest extent possible from the curriculum and extracurricular programs.
6. Maintain student confidentiality.
7. Form appropriate relationships with students and their families
8. Act in a professional manner at all times
9. Dress appropriately while at work

D. Coaches, Advisors and Chaperones (positions approved by the Board of Education)

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Know school policies and rules, and enforce them in a fair and consistent manner.
3. Communicate to students and parents:
 - a. All objectives and requirements
 - b. Expectations for student behavior and achievement
 - c. Practice/meeting/game schedules
 - d. That behavioral infraction will be reported to the building administration.
4. Promote a positive learning environment.
5. Support teachers and administrators in academic programs, maintenance of equipment and operations of buildings and grounds.
6. Assist students in achieving their highest potential.
7. Take advantage of learning opportunities to improve their own skills in order to be successful contributors to the education process.
8. Maintain student confidentiality.

E. Support Staff, Instructional Associates, Nurses, Custodians, and School Resource Officers

1. Promote a positive learning environment.
2. Support teachers and administrators in academic programs, maintenance of equipment and operations of buildings and grounds.
3. Assist students to achieve their highest potential.
4. Maintain clean, safe, orderly buildings and grounds.
5. Take advantage of learning opportunities to improve their own skills in order to be successful contributors to the education process.
6. Maintain student confidentiality.
7. Form appropriate relationships with students and their families
8. Act in a professional manner at all times
9. Dress appropriately while at work

G. Principals

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Maintain student confidentiality.
7. Form appropriate relationships with students and their families

8. Act in a professional manner at all times
9. Dress appropriately while at work

H. Superintendent

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Maintain student confidentiality.

I. Board of Education

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting board meetings in a professional, respectful, courteous manner.
4. Maintain student confidentiality.

Dress Code

The responsibility for student dress and general appearance rests with individual students and parents. Therefore, the district will not prescribe student dress while at school-sponsored events with either fashion or taste as the sole criterion. However, the Board of Education will regulate a student's dress to ensure that students attend school or school-sponsored events such as dances in appropriate attire that meets health and safety standards and does not interfere with the learning process. For example:

1. Clothing and jewelry worn to make a political or religious statement will not be banned unless it is disruptive of the educational process, lewd or offensive.
2. Clothing, footwear and jewelry will be banned if they present a threat to the student's, or another student's health or safety.
 - a. Hats and hoods create a substantial safety hazard and are not permitted to be worn during the school day

3. Specific dress requirements may be required by the district for students participating in activities in which clothing and jewelry may be a safety or health concern, such as science laboratories, physical education, technology (Industrial Arts) classes, and interscholastic athletics.
4. Wearing clothing or materials on school grounds, at school functions, or school-sponsored events that are obscene; advocate illegal action; promote and/or endorse the use of alcohol, tobacco, tobacco products, smoking paraphernalia, or illegal drugs or encourage other illegal or violent activities; appear libelous, or denigrate others on the basis of race, color, religion, creed, national origin, gender, sexual orientation or disability; obstruct the rights of others, or are disruptive to the school program will not be allowed.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replace it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out-of-school suspension.

The principal and other designated administrative personnel shall have the authority to require a student to change his/her attire should it be deemed inappropriate according to the above guidelines. Administrators, teachers and all other District personnel should exemplify and reinforce acceptable student dress.

Prohibited Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil 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.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school if they participate in any of the behaviors listed below.

Category #1: Disorderly, Reckless or Violent Behavior, Including But Not Limited To:

- A. Fighting and/or physical assault
- B. Making unreasonable noise
- C. Using abusive, objectionable or obscene language or gestures
- D. Insubordination (i.e. failing to comply with the reasonable directions of the teachers, school administrators, or other school employees in charge of the student)
- E. Engaging in violent behavior
- F. Obstructing vehicular or pedestrian traffic
- G. Creating a hazardous or physically offensive condition
- H. Threatening, harassing, bullying, or intimidating others, including sexual harassment
- I. Running in hallways
- J. Engaging in any willful act which disrupts the normal operation of the school community

Category #2: Endangers the Safety, Health or Welfare of Others by Any Act, Including But Not Limited To:

- A. Selling, distributing, using or possessing tobacco products, alcohol, drugs, vape, or other controlled substances or drug paraphernalia, including “look alike” substances that are passed off as prohibited substances
- B. Selling, distributing, using or possessing firearms, weapons*, fireworks, explosives, or other dangerous instruments or contraband
- C. Attending school or any school functions, or appearing on school property, under the influence of alcohol, drugs or other controlled substances
- D. Using, possessing, or sharing prescription or over-the-counter pharmaceutical materials, including aspirin, ibuprofen, acetaminophen, antihistamine, etc.
- E. Using, possessing, or sharing a vaping (electronic cigarette) or smoking device
- F. 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
- G. Stealing
- H. Arson
- I. Terrorist threats of actions, including discussion of, reference to, or comments about committing school violence (school shooting, bombing, etc.) or violence toward a specific member or group within our school community
- J. Extortion
- K. False alarms
- L. Gambling
- M. Selling, distributing, viewing, using or possessing obscene materials
- N. Engaging in lewd behavior
- O. Lying
- P. Defamation, which includes making 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

- Q. Discrimination, which includes discrimination against any student by a student or students and/or employee or employees on school property or at a school function including but not limited 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.
- R. Harassment, which includes the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyber-bullying
- S. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm

Category #3: Academic Misconduct, Including But Not Limited To:

- A. Tardiness, missing or leaving school or class without permission or excuse
- B. Skipping detention
- C. Unexcused absences
- D. Cheating, including but not limited to copying, using unauthorized help sheets, illegally obtaining tests in advance, plagiarism or altering records
- E. Forgery or lying
- F. Assisting another student in any of the above actions

Category #4: Engages in Conduct Which Violates Board Rules and Regulations for the Maintenance of Public Order on School Property, Including But Not Limited To:

- A. Loitering
- B. Misconduct on the school bus
- C. Unauthorized entry to school building. 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 or his/her designee
- D. Misuse of automobile on school property
- E. Vandalism includes intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson. Also includes intentionally damaging or destroying school district property.

Category #5: Technological Misconduct, Including But Not Limited To:

- A. Cyber-bullying, which includes harassment/bullying through any form of electronic communication.
- B. Using technology or social media to make false or unprivileged statements or representations about an individual or identifiable group that harm the reputation of the person or identifiable group by demeaning them.
- C. Violation of the Computer Technology Acceptable Use Policy
- D. Use of personal technology in school when not specifically allowed by the instructor. All technology use during the school day is at the discretion of the classroom instructor or supervising adult
- E. Cheating using technology (phone, tablet, computer, smart watch/wearable device, etc.)

Category #6: Engage in any form of harassment, discrimination, bullying or cyberbullying:

- A. Engage in any form of harassment, discrimination, bullying, or cyberbullying during school hours or after school hours, during school functions, or at any time on school property.
 - a. This includes any type of cyberbullying that takes place between students, staff or other individuals.
 - b. All members of the school community must abide by the policies and procedures of the Dignity for All Students Act.

If an incident occurs that is related to bullying or inappropriate behavior, the following steps must be followed:

- Incidents that occur during the school day should first be addressed at the level of occurrence. For example, if the incident happens in the classroom or in the hallway, the teacher should address the incident. If the teacher needs further assistance in handling the matter, he/she should seek assistance from the school specialists that are familiar with the particular needs of the student, such as the school counselor or the school psychologist. If specific action is taken to assist a student by the school counselor or the school psychologist, they should always contact the parents and work with them to address the matter. When all means of addressing the incident are exhausted and the problem continues, the matter should be brought to the attention of the building administrator and/or the Dignity Act Coordinator.
- All incidents of bullying, discrimination and/or harassment or other types of conflict that occur must be reported to the DAC and the building administrator. Newfane Central School District shall report, on an annual basis, material incidents of discrimination and/or harassment to the Commissioner of Education by relevant regulations. A complete and thorough investigation of the incident shall occur by the teacher, school principal or assistant principal, depending at what level the incident is handled. If additional assistance is needed, with the approval of the Superintendent of Schools, the school attorney at the Orleans/Niagara BOCES or other legal counsel as retained by the Board of Education can be called to assist with the investigation.
- If it can be determined that the specific incident in question was caused or resulted from bullying or any type of inappropriate behavior, the individual that initiates the bullying or inappropriate behavior may be subject to a greater degree of discipline than the other individual(s) involved in the incident in accordance with this Code of Conduct.
- The student who is determined to be the bully or the student that initiates the inappropriate behavior shall be subject to a mandatory meeting involving the student, his/her parents, and a school administrator to discuss the inappropriateness of bullying activity. In addition, the student will need to attend youth training sessions about bullying behavior and be required to complete a project that requires collaboration to teach cooperation and empathy toward others.
- A Dignity Act Coordinator (DAC) consisting of one or more staff members will be appointed by the Board of Education for each school. The DAC will be available to staff,

students, and parents, as needed.

Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal and/or his or her designee or any other school employee.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

The Dignity Act requires that at least one staff member at every school be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex (Education Law §13[3]). This staff member should be referred to as the Dignity Act Coordinator (DAC) and is appointed by the Board of Education. The name(s) and contact information for the Dignity Act Coordinator(s) shall be shared with all school personnel, students, and persons in parental relation.

Dignity Act Coordinators:

NECC	Pete Young	(716) 778-6462
Elementary	Danielle Hawkins	(716) 778-6376
Middle School	Keith Crombie	(716) 778-6451
High School	Dan Bedette	(716) 778-6550

District staff who witness harassment, bullying, and/or discrimination or receive an oral or written report of such acts shall promptly orally notify the principal, superintendent, or their designee not later than one school day after such employee witnesses or receives a report of such acts, and shall also file a written report with the principal, superintendent, or their designee no later than two school days after making an oral report.

The principal, superintendent or the principal's or superintendent's designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written reports.

When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the superintendent, principal, or designee shall take prompt action, reasonably calculated to end the harassment, bullying and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the

behavior, and ensure the safety of the student or students against whom such behavior was directed.

Any firearm or weapon, tobacco products, alcohol or illegal substances found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include long-term suspension and referral for prosecution.

The building principal or his or her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order of security of a school as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct as constituted a crime.

Disciplinary and Remedial Actions

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The district supports the Dignity for All Students Act requirement that discipline and remediation are developed to represent measured, balanced, progressive and age-appropriate responses to discrimination, harassment, and bullying of students by students and/or employees.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability.

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

1. The student's age
2. The nature of the offense and the circumstances which led to the offense
3. The student's prior disciplinary record
4. The effectiveness of other forms of discipline
5. Information from parents, teachers and/or others, as appropriate
6. Other extenuating circumstances

A. Disciplinary and Remedial Actions

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified in Section B are authorized to impose that penalty, consistent with the student's right to due process.

1. Informal Disciplinary and Remedial Actions

A major consideration in the application of the code is that the most appropriate disciplinary action taken by school officials is the least extreme measure that can resolve the discipline problem. Teachers and administrators should strive to use a variety of informal disciplinary/guidance steps prior to formal disciplinary action. Some of these methods include:

- Time-honored classroom management techniques
- Verbal or written warning by any district staff member
- Contact with parents by any district staff member
- Conference or contact with the parent by teacher, counselor, administrator or their designee
- Written notification to parents
- Recommended counseling with the appropriate services

2. Formal Disciplinary and Remedial Actions

- Detention: This alternative is most often used for conduct constituting persistent disobedience or seriously disrupting the classroom. Detention may include time before or after school, or during lunch.
- Removal from Classroom Instruction: Teachers will have the power and authority to remove disruptive students in the teacher's classroom for up to three days. Administrators or their designees will have the authority to remove disruptive students for up to five days.
- Student Program Adjustment: A student's program/schedule may be modified only at the principal's discretion
- Short-Term Suspension: A school principal may exclude a student from school and all school activities for up to five (5) school days for persistent disobedience and/or gross misconduct. Principals take this action when they have exhausted informal disciplinary strategies, or when they have considered those alternatives and rejected them as inappropriate in a given situation. Conferences to resolve the problem are scheduled with the parent, student and administrator. In-school or out-of-school suspension may be used at the discretion of the school principal.

Suspension may be from classroom instruction, transportation, athletic participation, social or extracurricular activities, or any other privileges.

- **Long-Term Suspension:** A Superintendent's Hearing must be held in order for a suspension to exceed five (5) school days. At the hearing, the Superintendent may:
 - Allow the student to return to school
 - Increase the out-of-school suspension for more than five (5) days
 - Impose an extended period of suspension (e.g. the remainder of the school year)
 - Assign the student to an alternative placement
 - Recommend evaluation or counseling

3. Referral to Law Enforcement

When a student is involved in any criminal activity, the appropriate law enforcement agency will be contacted immediately.

Additional Information

Students and their parents or legal guardians are responsible to make restitution for District-owned property that is damaged or destroyed by students. The amount of compensation shall be the commensurate with the loss to the district. Such compensation shall be pursued through civil action when necessary, and when the student is over the age of ten (10) and under the age of eighteen (18).

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the alleged offense. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with imposition of the penalty.

- 1. Detention** Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Parents will be notified of students receiving detention.
- 2. Suspension from Transportation** If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount

to suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parents will be provided with reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

3. Suspension From Athletic Participation, Extra-Curricular Activities and Other Privileges

A student subjected to suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parents will be provided with reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

4. In-School Suspension The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "In-School Suspension".

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parents will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the penalty involved.

5. Teacher disciplinary removal of disruptive students A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances, the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to three days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why

he/she is being removed and an opportunity to explain his/her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat or disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he/she was removed from the classroom and give the student a chance to present his/her version of the relevant events within 24 hours.

The teacher must complete a building established disciplinary form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he/she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The principal may require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parties involved.

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

- a. The charges against the student are not supported by substantial evidence.
- b. The student's removal is otherwise in violation of law, including the district's code of conduct.
- c. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

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

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he/she is permitted to return to the classroom.

Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his/her class. The principal or designee must keep a log of all removal of students from class. This log will be kept electronically using the district's student management system.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his/her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

- 6. Suspension from School** Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.

Any staff member may recommend to the superintendent or the principal or his or her designee that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The superintendent, principal or principal's designee upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

- **Short-Term (5 days or less) Suspension from School**

When the superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214 (3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents and students shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student’s presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student’s presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent’s decision, they must file a written appeal to the board of education with the district clerk within 10 business days of the date of the superintendent’s decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

- ***Long-Term (more than 5 days) Suspension from School***

When the superintendent determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student’s parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances preclude them from doing so. The Board may adopt in whole or in part the decision of the superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

- **Suspension for up to 1 year**

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

C. Minimum Periods of Suspension

1. Students Who Bring a Firearm to School

Any student, other than a student with a disability, found guilty of bringing a firearm onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have the opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the one year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

- a. The student's age
- b. The student's grade in school
- c. The student's prior disciplinary record
- d. The superintendent's belief that other forms of discipline may be more effective
- e. Input from parents, teachers and/or others
- f. Other extenuating circumstances

A student with a disability may be suspended only in accordance with the requirements of state and federal law.

2. Students Who Commit Violent Acts Or Bring Weapons to School

Any student, other than a student with a disability, who is found to have committed a violent act, or has brought a weapon onto school property, shall be subject to suspension from school for up to five days. When the proposed penalty is five days or less, the student and student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. When the proposed penalty exceeds five days, the student and student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one year suspension for possessing a firearm.

3. Students Who are Repeatedly Substantially Disruptive of the Educational Process or Repeatedly Substantially Interferes with the Teacher's Authority Over the Classroom

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teachers(s) pursuant to Education Law §3214 (3-a) and this code on four or more occasions during a semester. If the proposed penalty is a suspension of five days or less, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds a five day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one year suspension for possessing a firearm.

D. Referrals

1. Recommended Counseling

The school counselor(s) and/or school psychologist shall handle all referrals of students to counseling.

2. PINS Petitions

The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.

3. Juvenile Delinquents and Juvenile Offenders

The superintendent is required to refer the following students to the County Attorney for juvenile delinquency proceedings before the Family Court:

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

The superintendent is required to refer students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement.

Alternative Instruction/Continued Educational Programming

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

Discipline and Remediation of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities have certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and by New York State Regulations and District Policy.

This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

If the conduct of a student is related to a disability or suspected disability, the Committee on Special Education will be notified and if warranted, appropriate action will be implemented in accordance with Board of Education Policy 7313 and §3214 of the Education Law.

Corporal Punishment

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 Commissioner's regulations.

Student Searches and Interrogations

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. School officials are not required to contact a student's parents before questioning the student.

A. Limited Searches

The Board authorizes the superintendent, building principals or the principal's designees 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.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or 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.

B. Student Lockers, Desks and other School Storage Places

The rules of this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places, including any computer storage devices, internal or external. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that all of the above storage places may be subject to

search at any time by school officials, without prior notice to students and without their consent.

C. Other Searches

More intrusive searches may be conducted by authorized officials based upon unique circumstances of the situation.

Students should understand that if you drive to school and park on school property, your vehicle will be subject to search by school officials when school officials have reason to believe that drugs, weapons, or any other item, article, substance or object prohibited by this Code is present in the vehicle.

D. Documentation of Searches

The authorized school officials conducting the search shall be responsible for recording the following information about each search:

- a. Name, age and grade of student searched
- b. Reasons for the search
- c. Name of informant(s)
- d. Purpose of search (that is, what item(s) were being sought)
- e. Type and scope of search
- f. Person conducting search and his or her title and position
- g. Witnesses, if any, to the search
- h. Time and location of search
- i. Results of search (that is, what item(s) were found)
- j. Disposition of items found
- k. Time, manner and results of parental notification

The building principal or the principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous items taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item is turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

E. Policy Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or

2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside of school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

F. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by child protective services to interview a student on school property shall be made directly to the building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex.

A child protective services worker may not remove a student from school property without court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

Visitors to the School

The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors must enter the building at the main entrance by ringing the doorbell/buzzer.
3. All visitors will be asked, and must give, their name and the purpose of their visit when buzzing in.
4. Once gaining entry, all visitors to the school must report to the main office. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. If a permanent badge is issued, the visitor must return the identification badge to the principal's office before leaving the building.
5. Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
6. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings are not required to register.
7. Teachers are expected not to take class time to discuss individual matters with visitors.
8. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons when on school property or attending a school function including students, teachers and district personnel

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.

4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, or disability.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or illegal drugs or be under the influence of either on school property or at a school function.
10. Possess or use firearms or weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.
16. Smoke on school property, including the use of electronic cigarettes (vaping).

B. Penalties

Persons who violate this code may be subject to any/all of the following penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection and/or referral to law enforcement.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.

C. Enforcement

The Superintendent or his or her designee shall be responsible for enforcing the conduct required by this code.

When the building principal or his designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat

of injury to persons or property, the principal or his designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The District shall initiate disciplinary action against any student or staff member, as appropriate, with the “Penalties” section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

Dissemination and Review

The Board will work to ensure that the community is aware of this code of conduct by:

1. Holding a public hearing before Board of Education approval.
2. Mailing a summary of the Code of Conduct written in plain language to all parents of district students before the beginning of the school year and making summary available later upon request.
3. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
4. Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
5. Making copies of the code available for review by students, parents, and other community members.
6. Providing all new employees with a copy of the current code of conduct when they are first hired.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

The Board of Education will review this code of conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the code’s provisions have been and whether the code 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. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Before adopting any revisions to the code, the Board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The code of conduct and any amendments to it will be filed with the Commissioner of Education no later than 30 days after adoption.

Revisions Adopted: August 2018