

CODE  
OF  
CONDUCT

**Campbell-Savona Central School**

***SUMMARY DOCUMENT\*\****

**ADOPTED BY THE BOARD OF EDUCATION – 7/01/2004**

\*\* THIS DOCUMENT REPRESENTS A SUMMARY OF A 32 PAGE CODE OF CONDUCT WHICH MAY BE OBTAINED BY CONTACTING THE BUILDING PRINCIPAL'S OFFICE.

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### **I. Introduction**

The Campbell-Savona Board of Education (“Board”) is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

### **II. Definitions**

For purposes of this code, the definitions that have been clarified are disruptive student, parent, school property, school function, violent student, and weapon. For the detailed definitions refer to the complete text of the Code of Conduct.

### **III. 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 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 sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorities.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

**B. Student Responsibilities**

All district students have the responsibility to follow the Code of Conduct by:

1. Contributing to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Being familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attending school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Working to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. Reacting to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Working to develop strategies to control anger.
7. Asking questions when they do not understand.
8. Seeking help in solving problems that might lead to discipline.
9. Dressing appropriately for school and school functions.
10. Accepting responsibility for their actions.
11. Conducting themselves as representatives of the district when participation in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
12. Being prepared to learn.

**IV. Essential Partners**

**A. Parents and/or Guardians**

All parents/guardians 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 regularly and on time.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society 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, other parents and their children's friends.
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. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

**B. Teachers/Staff**

All district teachers/Staff 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 the in a fair and consistent manner.
5. Communicate to students and/or 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.
7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

**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. Initiate referrals of students/families to the appropriate community agencies.
4. Regularly review with students their educational progress and career plans.
5. Provide information to assist students with career planning.
6. Encourage students to benefit from the curriculum and extracurricular programs.
7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

**D. School Resource Officer (SRO)**

1. Assist the district in providing a safe learning environment.
2. Create and foster a strong partnership between the school and law enforcement.
3. Assist students and school personnel in the capacity of being an educational resource.
4. Create a balance of law enforcement, instructor, and counselor.
5. Act as a positive role model, be accessible to staff and students, and be available to attend certain school functions.
6. Encourage individuals to make the “right” choice in life when provided with opportunities.
7. Responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

**E. 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 and approach 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.

**F. 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. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

**G. 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. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

**V. Student Dress Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance, including jewelry, make-up and nails, shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process. Items such as chains, spiked jewelry, or any other fad or trendy item that is deemed unsafe or disruptive with the educational process, shall not be allowed.
2. Recognize that extremely brief garments such as "short shorts or skirts", tube tops, net tops, mid-drift, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate.
3. Ensure that underwear is completely covered with outer clothing at all times.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include the wearing of hats, visors, bandanas, or head coverings in the building except for a medical, religious, or educational purpose during regular instructional school hours.
6. Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs, pornographic or sexually suggestive items, and/or encourage other illegal or violent activities.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

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, replacing 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.

## **VI. Prohibited Student Conduct**

The rules of conduct listed below are intended to make expectations for student conduct specific and clear. Students who will not accept responsibility for their own behavior and who violate these 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, when they:

**\*\* PLEASE NOTE:** The following lists of violations are examples only. The list is not limited to only those examples given.

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include:
  - 1. Running in hallways.
  - 2. Making unreasonable noise.
  - 3. Using language or gestures that are profane, lewd, vulgar or abusive.
  - 4. Obstructing vehicular or pedestrian traffic.
  - 5. Engaging in any willful act which disrupts the normal operation of the school community.
  - 6. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students.
  - 7. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
  - 8. Computer/electronic communications misuse, including but not limited to any unauthorized use of cell phones, pagers, computers, software, internet/intranet account; accessing inappropriate websites or any other violation of the district's acceptable use policy.
  - 9. Unauthorized use of electronic devices such as games, CD or tape players.
  
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:
  - 1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
  - 2. Lateness for, missing or leaving school without permission.
  - 3. Skipping detention.
  
- C. Engage in conduct that is violent or threatens violence. Examples of violent conduct include:
  - 1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
  - 2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
  - 3. Possessing a weapon.
  - 4. Displaying what appears to be a weapon.
  - 5. Threatening to use a weapon.
  - 6. 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.
  - 7. Intentionally damaging or destroying school district property.
  
- D. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:
  - 1. Lying to school personnel.
  - 2. Stealing the property of other students, school personnel, or any other person lawfully on school property or attending a school function.
  - 3. 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.

4. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
  5. Harassment or bullying of an individual or group.
  6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
  7. 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.
  8. Selling, using, or possessing obscene material.
  9. Using vulgar or abusive language, cursing or swearing.
  10. Smoking a cigarette, cigar, pipe, or using chewing or smokeless tobacco.
  11. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
  12. Inappropriately using or sharing prescription and over-the-counter drugs.
  13. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner or making gestures that have a known sexual connotation.
  14. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
  15. Unauthorized consumption of food or beverages outside of the cafeteria.
  16. Tasteless demonstrations of affection are not allowed.
  17. Leaving school grounds. No student may leave the school grounds during the school day without specific prior permission from the appropriate Administrator, School Nurse, or Attendance personnel.
  18. Sexual harassment.
    - A. Sexual harassment is a form of sex discrimination. Conduct is deemed to be sexual harassment when the student perceives such behavior as unwelcome, such as inappropriate touching, verbal comments, sexual name calling, spreading rumors, gestures, jokes, pictures, blocking a student's movement, rape, or attempted rape.
- E. Engage in misconduct while on a school bus. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, unwarranted standing, moving from seat to seat, and fighting will not be tolerated.
- F. Engage in any form of academic misconduct. Examples of academic misconduct include:
1. Plagiarism.
  2. Cheating.
  3. Copying.
  4. Altering records.
  5. Assisting another student in any of the above actions.
- G. Engage in conduct not conducive to the normal functioning of the library. The library is to be a quiet place for study.

## **VII. Reporting Violations**

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or his/her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee, or the Superintendent.

All district staff that 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.

Any weapon, alcohol, or illegal substance 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 permanent suspension and referral for prosecution.

The building principal or his or her designee must notify the appropriate law enforcement agency of those code violations that constitute a crime and substantially affect the order or 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 and constituted a crime.

### **VIII. Disciplinary Penalties, Procedures, and Referrals**

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.

As a general rule, discipline will be progressive.

#### **A. Penalties**

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 after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Verbal warning – any member of the district staff.
2. Written warning – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, teacher aides/assistants, principal, superintendent.
3. Written and/or phone notification to parent – bus driver, coaches, guidance counselors, teachers, principal, superintendent.
4. Detention – teachers, principal, superintendent.
5. Suspension from transportation – director of transportation, principal, superintendent.
6. Suspension from athletic participation – coaches, athletic director, principal, superintendent.
7. Suspension from social or extracurricular activities – activity director, principal, superintendent.
8. Suspension of other privileges – principal, superintendent.
9. In-school suspension – principal, superintendent.
10. Removal from classroom – teachers, principal.
11. Short-term (five days or less) suspension from school – principal, superintendent, Board of Education.
12. Long-term (more than five days) suspension from school – principal, superintendent, Board of Education.
13. Permanent suspension from school – superintendent, Board of Education.

## **B. Procedures**

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. 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.

Students who are to be given penalties other than an verbal warning, written warning, or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

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. Detention will be imposed as a penalty only after the student's parent(s) have been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following 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 parents will become responsible for said transportation. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

3. Suspension from athletic participation, extra curricular activities and other privileges.

A student subjected to a suspension from athletic participation, extra curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law. However, the student and the student's parent will be provided with a 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 class 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. However, the student and the student's parent will be provided a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and 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. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: 1) supervised short-term "time out" in a classroom or in an administrator's office; 2) sending a student into the hallway briefly; 3) sending a student to the principal's office for the remainder of the class time only; or 4) sending a student to the

guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. 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 five (5) days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or 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 of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.

The teacher must complete a district disciplinary removal 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 leave the form with the secretary and 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 teacher, the principal, or another district administrator designated by the principal must notify the student's parents that the student has been removed from class and why. The notification must also inform the parent that he or 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 completed district disciplinary removal form must be mailed within two (2) school days of the incident to the last known address of the 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 parent and the principal.

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

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

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48 hour period for the informal conference, if a conference is requested. No student removed from the

classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

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

Each teacher must keep, on a district provided form, a complete log for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class.

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 or 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 violation. Again, it should be noted that the four (4) time honored practices previously mentioned are not considered removal. (VIII B.5.)

#### 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 that a student may 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 or principal, 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.

##### a. 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, the suspending authority must immediately notify the student verbally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's. A written notice must follow this notification. The notification is to be mailed within 24 hours of the decision to propose suspension to the last known address for the parents. Details concerning the notice and the conferences are available in the full text version of the Code of Conduct.

##### b. Long-term (more than 5 days) suspension from school (SUPERINTENDENT'S HEARING)

When the superintendent or building principal determines that a suspension for more than 5 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. Details pertaining to the hearing are in the full text version of the Code of Conduct.

c. Permanent suspension

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 weapon to school

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law. 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:

1. The student's age.
2. The student's grade in school.
3. The student's prior disciplinary record.
4. The superintendent's belief that other forms of discipline may be more effective.
5. Input from parents, teachers and/or others.
6. 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 threaten or commit a violent act other than bringing a weapon to school.

Any student, other than a student with a disability, who is found guilty to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least 5 days

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 at least five days

**D. Referrals**

1. Counseling

The superintendent shall designate persons or offices responsible for handling referrals of students to counseling.

2. PINS Petitions

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

- a. Not attending school as required by Education Law.
- b. Engaging in conduct that makes the student ungovernable or habitually disobedient.

3. Juvenile Delinquents and Juvenile Offenders

The superintendent is required to refer the following students to the County Attorney:

- a. Any student under the age of 16 who brought a weapon to school, or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status.

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 authorities.

**IX. Alternative Instruction**

When a student under age 17 is removed from class by a teacher or is suspended from school, the district will take immediate steps to provide alternative means of instruction for the student.

**X. Discipline 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 are entitled to 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 regulations.

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.

For complete details refer to the full version of the Code of Conduct.

**XI. Corporal Punishment**

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

However, 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, 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.

**XII. 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 disciplinary penalty on a student may question a student about the alleged violation of a law or the district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all why they are being questioned.

In addition, the board authorizes the superintendent, building principals, and designated school personnel 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 code of conduct.

**A. 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 official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or 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 privacy of administrative offices and the students will be present when their possessions are being searched.

**B. Student Lockers, Desks and other School Storage spaces.**

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search, without prior notice to student and without their consent.

**C. Searches of a Student's Person**

This search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. If an authorized school official believes it is necessary to conduct a search of a student, the school official may do so only if the search is authorized in advance by the superintendent, the superintendent's designee, or the school's attorney. The only exception to this rule is if the school official believes there is an emergency situation that could threaten the safety of the student or others.

These searches may only be conducted by an authorized school official of the same gender as the student being searched and in the presence of another district employee who is also of the same gender as the student.

In every case, the school official conducting this search must have probable cause—not simply reasonable cause to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting this search, the school official must

consider the nature of the alleged violation, the student's age, the student's record and the need for such a search.

School officials must attempt to notify the student's parents by telephone, personal contact, or in writing of this search.

#### **D. Documentation of Searches**

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

1. Name, age, grade of student searched.
2. Reasons for the search.
3. Name of any informant(s)
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of the search.
9. Results of search, (that is, what items were found).
10. Disposition of items found.
11. 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 item taken from a student. The principal or his designee shall clearly label each item taken from the student and retain control of the item(s), until the items are turned over to the police. The principal or his designee shall be responsible for personally delivering dangerous or illegal items to the police authorities.

#### **E. Police 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 a school function, 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 student's 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 try to give the parent the opportunity to be present during the police questioning or the 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 shall also be present during any police questioning or search of a student on school property or a school function.

Students who are questioned by the police officials on school property or at a school function will be offered the same rights they have outside the 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 districts 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 labor protective services workers who wish to conduct interviews of suspected child abuse, an/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 will be present during the interview. If the nature of the allegation is such that it may be necessary for the student to remove any or all 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 designee of the opposite gender.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger or 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 or abuse, the worker may remove the student without a court order and without the parents consent. The superintendent, and or their designee, will make every attempt to verify this removal with the worker's immediate supervisor.

## **XIII. Visitors to the Schools**

The board encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however certain limits must be set for such visits. 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 to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitors register and will be issued a visitors identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. 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.
7. All visitors are expected to abide by the rules for public conduct on school property.

#### **XIV. 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.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

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.

##### **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. This includes, but is not limited to 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, sexual orientation 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 be under the influence of either on school property or at a school function.
10. Possess or use 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. Ride bikes, skateboards, scooters, or roller blades in prohibited areas.
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.

##### **B. Penalties**

Persons who violate this code shall be subject to 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.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law.

4. Staff in the classified service of the civil service entitled to the protection of Civil Service Law.
5. Other Staff shall be subject to warning, reprimand, suspension or dismissal.

### **C. Enforcement**

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

When the building principal or his or her 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. 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 or her 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.

## **XV. DISSEMINATION AND REVIEW**

### **A. Dissemination of Code of Conduct**

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

1. Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the code available to all parents at the beginning of the school year.
3. 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 this summary available later upon request.
4. 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.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members.

The district will sponsor an in-service education program for all staff members to ensure the effective implementation of the code of conduct.

The board of education will review this code of conduct every year and update it as necessary.